CITY OF CLAYTON
Founded 1857.. Incorporated 1964

AGENDA

REGULAR MEETING

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CLAYTON CITY COUNCIL

* * *

TUESDAY, October 7, 2014

7:00 P.M.

Hoyer Hall, Clayton Community Library
6125 Clayton Road, Clayton, CA 94517

Mayor: Hank Stratford
Vice Mayor: David T. Shuey

Council Members
Jim Diaz
Howard Geller
Julie K. Pierce

- A complete packet of information containing staff reports and exhibits related to each public item is available for public review in City Hall located at 6000 Heritage Trail on the City's Website at least 72 hours prior to the Council meeting.
- Agendas are posted at: 1) City Hall, 6000 Heritage Trail; 2) Library, 6125 Clayton Road; 3) Ohm's Bulletin Board, 1028 Diablo Street, Clayton; and 4) City Website at **www.ci.clayton.ca.us**
- Any writings or documents provided to a majority of the City Council after distribution of the Agenda Packet and regarding any public item on this Agenda will be made available for public inspection in the City Clerk's office located at 6000 Heritage Trail during normal business hours.
- If you have a physical impairment that requires special accommodations to participate, please call the City Clerk's office at least 72 hours in advance of the meeting at (925) 673-7304.

* CITY COUNCIL *

October 7, 2014

1. **CALL TO ORDER THE CITY COUNCIL** – Mayor Stratford.

2. **PLEDGE OF ALLEGIANCE –** led by Mayor Stratford.

3. **CONSENT CALENDAR**

Consent Calendar items are typically routine in nature and are considered for approval by the City Council with one single motion. Members of the Council, Audience, or Staff wishing an item removed from the Consent Calendar for purpose of public comment, question or input may request so through the Mayor.

(a) Approve the minutes of the regular meeting of September 16, 2014. (View Here)

(b) Approve Financial Demands and Obligations of the City. (View Here)

(c) Adopt a Resolution approving a 2-year Memorandum of Agreement with the Clayton Undesignated Miscellaneous Employees Group effective the Fiscal Years of 2014-2015 and 2015-2016. (View Here)

(d) Approve the appointment of Ronald Tervelt to the Contra Costa County Advisory Council on Aging as the City of Clayton's representative. (View Here)

4. **RECOGNITIONS AND PRESENTATIONS**

(a) Proclamation declaring October 2014 as "Domestic Violence Awareness Month". (View Here)

(b) Certificates of Recognition to public school students selected for exemplifying the "Do The Right Thing" character trait of "Responsibility". (View Here)

5. **REPORTS**

(a) Planning Commission – Commissioner David Bruzzone.
(b) Trails and Landscaping Committee – No meeting held.
(c) City Manager/Staff
(d) City Council - Reports from Council liaisons to Regional Committees, Commissions and Boards.
(e) Other

6. PUBLIC COMMENT ON NON - AGENDA ITEMS

Members of the public may address the City Council on items within the Council's jurisdiction, (which are not on the agenda) at this time. To facilitate the recordation of comments, it is requested each speaker complete a speaker card available on the Lobby table and submit it in advance to the City Clerk. To assure an orderly meeting and an equal opportunity for everyone, each speaker is limited to 3 minutes, enforced at the Mayor's discretion. When one's name is called or you are recognized by the Mayor as wishing to speak, the speaker shall approach the public podium and adhere to the time limit. In accordance with State Law, no action may take place on any item not appearing on the posted agenda. The Council may respond to statements made or questions asked, or may at its discretion request Staff to report back at a future meeting concerning the matter.

Public comment and input on Public Hearing, Action Items and other Agenda Items will be allowed when each item is considered by the City Council.

7. PUBLIC HEARINGS - None.

8. ACTION ITEMS

(a) Consider a Resolution adopting a state-required Sewer System Management Plan (SSMP) for Clayton's municipal sewer system. (View Here)
(City Engineer)

Staff recommendations: **1)** Receive the staff report; **2)** Receive public comments; **3)** Following Council discussion or any amendments, by motion adopt the Resolution approving the City's Sewer System Management Plan (SSMP).

(b) Consider the Introduction and First Reading of a proposed City-initiated Ordinance No. 456 amending Chapter 13.06 and Chapter 13.08 of the *Clayton Municipal Code* adopting by reference Concord Municipal Code Chapter 13.05 and Central Contra Costa Sanitary District Code Title 10 concerning municipal sewer services and regulations. (View Here)
(City Engineer)

Staff recommendations: **1)** Receive the staff report; **2)** Receive public comments; **3)** Following Council discussion or any amendments to the proposed Ordinance, approve a motion to have the City Clerk read Ordinance No. 456 by title and number only and waive further reading; and **4)** Following the City Clerk's reading, by motion approve Ordinance No. 456 for Introduction with findings the action does not constitute a project under CEQA and set Tuesday, November 4, 2014 at 7:00 pm in Hoyer Hall at the Clayton Community Library as the date, time and location for a noticed Public Hearing on Ordinance No. 456.

9. **COUNCIL ITEMS** – limited to requests and directives for future meetings.

10. CLOSED SESSION

(a) *Government Code Section 54956.9(d)(4)* – Conference with Legal Counsel.
Anticipated Litigation: 1 Potential Case.

Report Out from Closed Session: Mayor Stratford.

11. **ADJOURNMENT**– the next regularly scheduled City Council meeting is October 21, 2014.

# # # # #

Agenda Date: 10-7-2014

Agenda Item: 3a

MINUTES
OF THE
REGULAR MEETING
CLAYTON CITY COUNCIL

TUESDAY, September 16, 2014

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 7:01 p.m. by Councilmember Pierce in Hoyer Hall, Clayton Community Library, 6125 Clayton Road, Clayton, CA. Councilmembers present: Mayor Stratford (arrived at 7:11 p.m.), Vice Mayor Shuey (arrived at 7:05 p.m.) and Councilmembers Diaz, Geller and Pierce. Councilmembers absent: None. Staff present: City Manager Gary Napper, Assistant City Manager Laura Hoffmeister, Maintenance Supervisor Mark Janney, Assistant City Attorney Christopher Diaz, and City Clerk Janet Brown.

2. **PLEDGE OF ALLEGIANCE** – led by Councilmember Pierce.

3. **CONSENT CALENDAR**

It was moved by Councilmember Diaz, seconded by Councilmember Geller, to approve the Consent Calendar as submitted. (Passed; 3-0 vote).

(a) Approved the minutes of the regular meeting of August 19, 2014.

(b) Approved Financial Demands and Obligations of the City.

(c) Adopted Resolution No. 36-2014 determining Scott Dansie, an employee of the City classified as a Local Safety member, is disabled for purpose of the Public Employees' Retirement Law (CalPERS), and such disability is "industrial" within the meaning of such law.

(d) Approved the City of Clayton Conflict of interest Code pursuant to the Political Reform Act of 1974.

(e) Adopted Resolution No. 37-2014 approving a Cooperative Agreement between the Contra Costa Transportation Authority (CCTA) and TRANSPAC member jurisdictions for distribution of Measure J sales tax sub-regional Transportation Needs Program 28a Funds.

(f) Accepted a flat rate fee donation in the amount of $135 from the Clayton Woman's Club for use of the Clayton Library Meeting Room (Hoyer Hall) for its Annual Craft Sale on November 22nd and 23rd, 2014.

(g) Adopted Resolution No. 38-2014 accepting completion of Capital Improvement Project No. 10435, Clayton Library HVAC Chiller Replacement Project, by Marken Mechanical Services in the final amount of $127,547.00 and authorizing the City Clerk to file the Notice of Completion.

4. **RECOGNITIONS AND PRESENTATIONS**

(a) A Proclamation declaring September 17 – 23, 2014 as "U.S. Constitution Week" in the City of Clayton.

Councilmember Pierce requested the Proclamation be sent to the Daughters of the American Revolution as no one was present to receive the Proclamation in person.

(b) A Proclamation declaring September 21 – 27, 2014 as "Falls Prevention Awareness Week" in the City of Clayton.

Councilmember Pierce read the Proclamation. Emily Hopkins from Meals on Wheels and Senior Outreach Services received the Proclamation. Ms. Hopkins provided some information regarding some of the services offered from Meals on Wheels and Senior Outreach Services.

[Vice Mayor Shuey arrived]

(c) A Proclamation declaring Saturday, September 20, 2014 as "Emma Hall Day" in the City of Clayton in recognition of achieving her Girl Scout Gold Award.

Councilmember Pierce read the Proclamation. Ms. Emma Hall received the Proclamation and thanked the community for supporting the first citywide Clayton Family Fair and Picnic Health Fair she organized as her Girl Scout Gold award project in June 2013.

[Mayor Stratford arrived]

(d) A Proclamation declaring Saturday, September 27, 2014 as "Casey Mitchell Day" in the City of Clayton in recognition of achieving her Girl Scout Gold Award.

Councilmember Pierce read the Proclamation. Ms. Casey Mitchell received the Proclamation and thanked the community for supporting her Girl Scout Gold Award project last year which she planned and taught art lessons for children with autism and other special needs at All in Need Family Support.

5. REPORTS

(a) Planning Commission – Commissioner Keith Haydon reported the Planning Commission held a meeting on September 9th. He noted there was a Public Hearing regarding a Home Occupation Permit by Wendy Murphy, 187 Mt. Wilson Way, considering a cottage food operation for baked goods to be conducted from a single-family residence. There was no public comment and the Planning Commission conditionally approved the home occupation permit.

Councilmember Geller asked where the baked goods are sold? Councilmember Pierce advised through Facebook since sales cannot occur directly at the premise. Commissioner Haydon added sales are made online; customers then stop by Ms. Murphy's residence to pick up the orders.

Commissioner Haydon also mentioned a Public Hearing on an Initial Study/Mitigated Negative Declaration regarding the Silver Oaks Estates Project is scheduled for the Planning Commission's meeting on September 23rd.

(b) Trails and Landscaping Committee – No meeting held.

(c) City Manager/Staff –

City Manager Gary Napper provided a report on Governor Brown's signature this day of a bill to create a framework for sustainable, local groundwater management for the first time in California history. The legislation requires local public agencies to tailor sustainable groundwater plans to their regional economic and environmental needs. The bill requires high and medium groundwater basins, as defined, to effect plans by

June 30, 2017; county governments must monitor unincorporated areas. Under the new law, since the Clayton community is served by a special water district for its water the Contra Costa Water District, not our City, is the responsible public agency. He noted the City has several groundwater wells it uses for irrigation in the downtown area, and the Lydia Lane and Southbrook areas operate some private well systems. On further research, the Clayton Valley water table falls into a "very low priority basin" and will not be regulated under this new law. As expected, the state's primary focus is on the groundwater basins serving the agricultural-intensive Central Valley. The Westwood Park and Lydia Lane Park irrigation water usage is monitored and periodically inspected under agreement by the Oakhurst Country Club, which also uses those groundwater wells for its irrigation of its golf course.

Vice Mayor Shuey asked if the Contra Costa Water District plans to issue any fines to residents whose lawns have turned brown due to the water drought? City Manager Napper advised the recently-expanded Los Vaqueros Reservoir has sufficient water for the remainder of this year. Based on this information, Contra Costa Water District has advised it will not be imposing use restrictions this year; however, as a community, we still have a duty to do our part and conserve water as much as possible, and the District has asked for voluntary use reductions of 15-20%. He noted he has directed the City's Code Enforcement Division to not enforce green lawn requirements under the current drought conditions.

Councilmember Geller asked if we can monitor private well usage? City Manager Napper advised the City does not monitor private well water usage other than its own, and we do not have authority to regulate privately-held wells.

Councilmember Pierce added when the Oakhurst-related wells were installed in public space, an agreement was made not to impair the use of the nearby private water wells. She also added for users of Contra Costa Water District water, if one's daily historical water use limit is exceeded, usage rates go up significantly.

City Manager Napper further added water quality testing is also performed quarterly on the Oakhurst wells.

(d) City Council - Reports from Council liaisons to Regional Committees, Commissions and Boards.

Councilmember Diaz attended the Clayton Community Library Foundation Board and Clayton Business and Community Association general membership meetings. He also attended the final Thursday Concerts in The Grove featuring the PHD's and the 30th Annual Soapbox Derby followed by Saturday Concerts in The Grove featuring Apple Z. Councilmember Diaz recently attended a city council meeting in the Town of Danville where his son-in-law and grandson received proclamations in recognition of their participation in Tassajara Valley Little League championship. He also attended the League of California Cities Annual Conference in Los Angeles where he attended refresher training for the AB1234 Ethics Course. Councilmember Diaz attended work sessions regarding fire and emergency responder services and some of the shortfalls, California obligations and how the EMS function is working in other cities. He exchanged contact information with Councilmember John Mirisch from Beverly Hills, Fire Chief Kurt Henke from the Sacramento Metro Area, and Raymond Ramirez from the CA Fire Chiefs Association. There was also an Election of League Officers; Tony Ferrara from Arroyo Grande was elected League President. Councilmember Diaz also noted the City of Clayton only paid for his registration fee to the League of California Cities Annual Conference; he covered the rest of the travel and lodging expenses from personal funds. He also met with Pete Laurence regarding the layout for the tractor proposed for location outside the Clayton Community Library; he attended the last Saturday Concerts in The

Grove featuring East Bay Mudd and a Contra Costa County Kops for Kids 16th Annual Golf Classic at Oakhurst Country Club, where the Clayton team came in third place.

Councilmember Pierce attended the Association of Bay Area Governments Estuary Partnership meeting where they discussed preservation of fresh water flow into the Delta and Sacramento waterways. She announced there will be several free workshops at the Antioch Community Center hosted by U.S. Congressman George Miller. Councilmember Pierce also accompanied lead disaster resilience professionals to visit with the City of Napa's mayor and city manager to tour the city and discuss their experiences with the recent earthquake. They also went to Vallejo where a majority of damage was found on Mare Island. Napa Mayor Jill Techel and City Manager Mike Parness remarked their recent Cal Poly-SLO seismic training proved invaluable to assist them with disaster response efforts. Councilmember Pierce also attended a TRANSPAC meeting.

Councilmember Geller attended the Contra Costa Mayors' Conference in Moraga, a Volunteer Fair at the Clayton Valley Charter High School, and a community vigil for Wyatt Bredell at The Grove Park; the Clayton Business and Community Association general meeting and the 30th Annual Soap Box Derby hosted by Clayton Community Church. He also attended two Saturday Concerts in The Grove Park featuring Apple Z and East Bay Mudd. Councilmember Geller thanked Councilmembers Diaz and Pierce for helping out at the Saturday concert series and the Clayton community for attending; he noted donations received this year will help bring the Saturday Concerts in The Grove back in 2015.

Vice Mayor Shuey attended the Volunteer Fair at Clayton Valley Charter High School and noted students there remain unaffected by the recent charter school board turmoil and reminded the community to remain active. He was unable to attend the last Thursday Concerts in The Grove, however when he drove by he was thrilled to see the large attendance. Councilmember Shuey assisted with the 30th Annual "Labor Day Derby" hosted by Clayton Community Church. Approximately 200 kids participated. The most popular derby car was the one created and entered by the Clayton Police Department. The simultaneous Classic Car show had approximately 270 car entries.

Councilmember Geller thanked Diablo Valley Ranch (DVR) for their labor assistance with various community events and mentioned the assistance they will provide to the Clayton Business and Community Association through its re-roofing project at DVR.

Councilmember Diaz also thanked Diablo Valley Ranch for their assistance with community events and is impressed by how many of the DVR volunteers become leaders within their organization.

Mayor Stratford attended an Eagle Court of Honor recognizing Connor Woods, Matthew D'Angina and Anthony Vines. He mentioned the Do The Right Thing character trait "Responsibility" is coming to a close and is looking forward to recognizing students at the next regular City Council meeting scheduled for October 7th. Mayor Stratford also invited the City Council to attend an upcoming East Contra Costa County Habitat Conservancy property tour taking place on October 6th in East County.

Councilmember Pierce noted with the habitat conservancy comments, the East Bay Regional Park District, whose goal is preservation and mitigation of land, is celebrating its 80th anniversary.

(e) Other – Introduction of candidates present for City Council elected office.

Candidate Keith Haydon introduced himself and noted he is a very active member within the community serving on the Planning Commissioner for 16 years, with 4 terms as its Chair. His goal as a City Council member if elected is to maintain the small downtown look, while encouraging economic development and protecting property values in the community. He provided assistance in the development and operation of the Ipsen Family Bocce Park along with the Clayton Business and Community Association. Mr. Haydon indicated he served 2 terms as President of the Clayton Business and Community Association and served as Chair on the Trails and Landscape Committee. He was motivated to run in the 2014 election for Clayton City Councilmember when he learned that Mayor Hank Stratford decided not to run for re-election this year.

6. **PUBLIC COMMENT ON NON-AGENDA ITEMS** – None.

7. **PUBLIC HEARINGS** – None.

8. **ACTION ITEMS**

(a) Consider a Resolution No. 39-2014 setting, adjusting and approving the City Master Fee Schedule for FY 2014-15 regarding user-benefit municipal services and rentals. (Assistant to the City Manager)

Assistant to the City Manager Laura Hoffmeister presented the staff report and noted the last annual update to the Clayton Master Fee Schedule occurred in September 2013 with an additional fee specific amendment in December 2013. All City fees are rounded up or down to the nearest whole dollar. Consumer Price Index (CPI) fees were not adjusted for the youth sports field rental fee as it increased last year and is not proposed to increase this year. Two new fees proposed this year are the Tobacco Sales Permit Annual Permit Renewal fee, per Clayton Municipal Code section 5.81.100, and establishment of reservation time change, date changes and cancellations for Hoyer Hall, City Hall Courtyard and Community Park Picnic Areas.

Councilmember Diaz inquired clarification of the Tobacco Sales Permit Annual Renewal fee. Assistant to the City Manager Laura Hoffmeister advised there are a few businesses that fall into this category and late fees will not be imposed for those businesses that had not complied with the Annual Renewal fees since the City will start to assess them going forward.

Mayor Stratford opened the item to receive public comments.

Keith Haydon asked if the distinction in new fees being proposed for reservation time change, date change or rental cancellation of the Community Park Picnic Areas cover the differences in administrative time and expense to process each change? Staff responded "yes".

No further public comments were offered and Mayor Stratford then closed the item to public comments.

It was moved by Councilmember Pierce, seconded by Vice Mayor Shuey, to adopt Resolution No. 39-2014 setting, adjusting and approving the City Master Fee Schedule for FY 2014-15 regarding user-benefit municipal services and rentals. (Passed; 5-0 vote).

(b) Consider the award of competitive bud contract to Miracle PlaySystems, Inc. in the contractual amount of $54,605.61, plus $14,942 for probable electrical and water line service upgrades (total cost of $67,482.71), to install design improvements and safety upgrades to the water play feature at The Grove Park.
(Maintenance Supervisor)

Maintenance Supervisor Mark Janney presented the staff report and noted in 2007 The Grove Park Water Play Feature (splash pad) was installed and opened in January 2008. Since installation, the splash pad has been a popular area for children to play. However, the splash pad surface is now becoming very slippery and has algae growth during the warm weather; these problems create additional maintenance as the surface needs to be consistently pressure washed. After repetitive public complaints/concerns and consultations with different water play feature manufacturers, it has been determined that changing the rubber surface with a brushed concrete broom finish is now the prevalent recreation industry standard in surrounding communities. Since the surface needs to be replaced, staff also considered water play feature new designs in contrast to the existing three commercial sprinkler heads. Staff also researched if a recyclable water system could be installed but discovered it would require a mini-water treatment plant and public dressing rooms and showers by state law, which requirements would add approximately $150,000 to $250,000 to the project cost.

Three bids were received to upgrade the water play area with the best and lowest bids from Miracle Playsystems, Inc. and Ross Recreation Equipment. The bids were close; however, Miracle Playsystems, Inc. provides more water nozzles and an on-site programmable controller allowing the City the ability to control the water patterns and timing sequences without returning the controller to the manufacturer. Supervisor Janney also requested consideration of the purchase of an $800.00 extended warranty covering the above-ground electronic controller.

Councilmember Geller asked how would the water feature be controlled? Supervisor Janney advised it will be an electronic button pad that kids and adults using the water feature would easily be able to turn on.

Vice Mayor Shuey asked how long do the water sprays operate: 30 seconds, 60 seconds? Supervisor Janney advised time is programmable and can be controlled and altered by the City as it deems fit due to weather or other needs, such as a drought.

Councilmember Geller asked if kids would control the water spray patterns? Can we salvage the existing concrete under splash pad? Supervisor Janney advised only the City can control/program the water spray patterns and the preferred bid by Miracle PlaySystems is the only bidder having a field programmable controller. The concrete under the existing splash pad surface must be demolished so the new piping and water spray nozzles can be installed and the concrete poured over the lines. It will have a brushed concrete broom finish.

Councilmember Geller inquired about the warranty of the components. Supervisor Janney advised most parts are covered for the standard 2 years; however, some parts are covered for 15 years. Supervisor Janney noted the request for an extended warranty on the electronic controller.

Councilmember Diaz asked if the mechanism that activates the system is easily replaced? Supervisor Janney advised the above ground controlling mechanism is easily replaced; he added the proposed Water Play Feature uses the existing foot print of the current splash pad while the other bidder would shrink the play area.

Vice Mayor Shuey asked what is the anticipated useful life of the system versus the warranty period, and if the controller equipment is waterproof? Supervisor Janney advised an extended warranty would extend the electronics warranty an additional 5 years and the equipment is contained within a waterproof box above ground and easily accessible. He requested the warranty and useful life specifications be inserted in the contract and he wished to review the contract before signature.

Vice Mayor Shuey furthered inquired about water usage and programming of the operation of the system. Supervisor Janney advised the proposed system will use about the same amount of water as the current play feature and the City will have control of the system using a 7 day programmable clock. For example, the City can program the splash pad to operate only during certain hours of the day to limit water use.

Councilmember Pierce shared concern the quality of the brushed concrete broom finish possibly being too rough on bare feet or too smooth to be slippery. Supervisor Janney advised when he visited neighboring communities that have the Miracle PlaySystems Water Play Feature using the brushed concrete the surfaces were done very well. He also noticed the installation of signage advising the public to use water shoes while playing in the water feature.

Mayor Stratford opened the item to receive public comments.

Keith Haydon thanked staff for a thorough review and strong review of the bids. He had a question about the costs associated with restarting the system and having to clean the nozzle heads if the splash pad must be turned off due to drought conditions.

No further public comments were offered and Mayor Stratford then closed the public comments.

It was moved by Councilmember Pierce, seconded by Vice Mayor Shuey, to award the contract with Miracle PlaySystems, Inc. and authorize the full allocation of $68,282.71 in project funds from The Grove Park reserves, including an approximate $800.00 extended warranty expense to cover the electronics. (Passed; 5-0 vote).

9. **COUNCIL ITEMS** – None.

10. **RECESS THE CITY COUNCIL MEETING** – on call by Mayor Stratford, the City Council recessed at 8:43 pm to handle Successor/Successor Housing Agencies' meeting.

11. **RECONVENE THE CITY COUNCIL MEETING** – on call by Mayor Stratford, the City Council meeting reconvened at 8:46 pm.

12. **CLOSED SESSIONS** – Mayor Stratford announced the following purposes for the City Council to meet in Closed Sessions:

(a) Conference with Labor Negotiator
Government Code Section 54957.6
Instructions to City-designated labor negotiator: City Manager.

1. Employee Organization: Miscellaneous City Employees Group.

Report out from Closed Session (9:11 pm)
Mayor Stratford announced the City Council had received reports from its negotiator regarding the Closed Session items and had provided instructions and directions accordingly.

13. **ADJOURNMENT**– on call by Mayor Stratford, the City Council meeting adjourned at 9:12 p.m.

The next regularly-scheduled City Council meeting is October 7, 2014.

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Respectfully submitted,

____
Janet Brown, City Clerk

APPROVED BY CLAYTON CITY COUNCIL

____
Hank Stratford, Mayor

# # # # #

CITY OF CLAYTON
Founded 1857.. Incorporated 1964

Agenda Date 10/7/2014

Agenda Item: 3b

Approved:

Gary A. Napper
City Manager

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: Kevin Mizuno, FINANCE MANAGER

DATE: 10/7/2014

SUBJECT: FINANCIAL OBLIGATIONS

RECOMMENDATION:

Approve the following Invoices:

10/03/2014	Obligations, Cash Requirements	$ 312,751.88
09/22/2014	Cal Card – US Bank – Stmt. Ending 9/22/2014	$ 10,126.81
09/16/2014	ADP Payroll PPE 9/17/14	$ 60,865.60
	Total	$ 383,744.29

Attachments:
Cash Requirements Report dated 10/3/2014 (7 pages)
US Bank, Statement ending 9/22/2014 (1 page)
ADP Report Week 12, PPE 9/17/2014 (1 page)

City o. ..layton
Cash Requirements Report

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
Ace Sierra Tow								
Ace Sierra Tow	10/7/2014	9/26/2014	3561	tow service	$50.00	$0.00		$50.00
				Totals for Ace Sierra Tow:	*$50.00*	*$0.00*		*$50.00*
All City Management Services, Inc.								
All City Management Services, Inc.	10/7/2014	9/26/2014	36131	school crossing guard servvices 8/17-8/30/14	$254.55	$0.00		$254.55
All City Management Services, Inc.	10/7/2014	10/1/2014	36317	School Crossing Guard Services 8/31/14-9/13	$458.19	$0.00		$458.19
				Totals for All City Management Services, Inc.:	*$712.74*	*$0.00*		*$712.74*
American Fidelity Assurance Company								
American Fidelity Assurance Company	10/7/2014	9/24/2014	B206114	October Premiums	$197.64	$0.00		$197.64
American Fidelity Assurance Company	10/7/2014	9/26/2014	1020597A	December Elections	$518.34	$0.00		$518.34
				Totals for American Fidelity Assurance Company:	*$715.98*	*$0.00*		*$715.98*
Anna Anderson								
Anna Anderson	10/7/2014	9/24/2014	3422B	deposit refund for Hoyer Hall 9/7/14	$200.00	$0.00		$200.00
				Totals for Anna Anderson:	*$200.00*	*$0.00*		*$200.00*
Best Best & Kreiger LLP								
Best Best & Kreiger LLP	10/7/2014	9/24/2014	733267	Retainer, August 2014	$8,000.00	$0.00		$8,000.00
Best Best & Kreiger LLP	10/7/2014	9/24/2014	733268	Labor/Employment - Dansie	$4,071.53	$0.00		$4,071.53
Best Best & Kreiger LLP	10/7/2014	9/24/2014	733269	Transpac JPA August 2014	$3,640.00	$0.00		$3,640.00
				Totals for Best Best & Kreiger LLP:	*$15,711.53*	*$0.00*		*$15,711.53*
CalPERS Health								
CalPERS Health	10/7/2014	9/24/2014	1530	Health Benefits for October 2014	$31,931.19	$0.00		$31,931.19
				Totals for CalPERS Health:	*$31,931.19*	*$0.00*		*$31,931.19*
CalPERS Retirement								
CalPERS Retirement	10/7/2014	9/24/2014	PPE 9/14/14	Retirement PPE 9/14/14	$19,266.29	$0.00		$19,266.29
CalPERS Retirement	10/7/2014	10/1/2014	9/24/14	City Council Retirement ending 9/24/14	$381.72	$0.00		$381.72
CalPERS Retirement	10/7/2014	10/1/2014	PPE 9/28/14	Retirement PPE 9/28/14	$19,333.11	$0.00		$19,333.11
				Totals for CalPERS Retirement:	*$38,981.12*	*$0.00*		*$38,981.12*
Caltronics Business Systems, Inc								
Caltronics Business Systems, Inc	10/7/2014	9/24/2014	1624126	contract for 8/17/14-9/16/14	$413.85	$0.00		$413.85
				Totals for Caltronics Business Systems, Inc:	*$413.85*	*$0.00*		*$413.85*
CCWD								
CCWD	10/7/2014	9/24/2014	C477176	irrigation, Marsh Creek Rd thru 9/10/14	$173.58	$0.00		$173.58
				Totals for CCWD:	*$173.58*	*$0.00*		*$173.58*
City of Concord								
City of Concord	10/7/2014	9/24/2014	41290	printing services - budget binding	$80.20	$0.00		$80.20
City of Concord	10/7/2014	9/26/2014	41211	dispatch services - July, August, September 20	$43,506.00	$0.00		$43,506.00
City of Concord	10/7/2014	9/26/2014	41230	vehicle maintenance	$1,399.74	$0.00		$1,399.74

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
				Totals for City of Concord:	*$44,985.94*	*$0.00*		*$44,985.94*
Concord Uniforms								
Concord Uniforms	10/7/2014	9/26/2014	8891	SM01-3A - Wayne	$1,057.25	$0.00		$1,057.25
Concord Uniforms	10/7/2014	9/26/2014	8894	SM01-3A Fraga	$1,057.25	$0.00		$1,057.25
				Totals for Concord Uniforms:	*$2,114.50*	*$0.00*		*$2,114.50*
Contra Costa County Department of Conservation & Development								
Contra Costa County Department of Co	10/7/2014	10/1/2014	Q1 14/15	Q1 2014/15 SB 1186 Fee	$165.75	$0.00		$165.75
				Totals for Contra Costa County Department of Conservation & Development:	*$165.75*	*$0.00*		*$165.75*
Contra Costa County Office of the Sheriff (ARIES)								
Contra Costa County Office of the Sheri	10/7/2014	9/26/2014	14/15 Clytn	ARIES Maintenance FY 14/15	$8,350.00	$0.00		$8,350.00
				Totals for Contra Costa County Office of the Sheriff (ARIES):	*$8,350.00*	*$0.00*		*$8,350.00*
Contra Costa County Police Chiefs' Assoc.								
Contra Costa County Police Chiefs' Ass	10/7/2014	9/26/2014	14-07	2014 Fall Workshop - Meals	$339.39	$0.00		$339.39
				Totals for Contra Costa County Police Chiefs' Assoc.:	*$339.39*	*$0.00*		*$339.39*
Contra Costa County Public Works Dept								
Contra Costa County Public Works Dept	10/7/2014	9/24/2014	700013	traffic signal maintenance for July 2014	$3,230.31	$0.00		$3,230.31
				Totals for Contra Costa County Public Works Dept:	*$3,230.31*	*$0.00*		*$3,230.31*
Contra Costa County Sheriff - Forensic Svc Div (Lab)								
Contra Costa County Sheriff - Forensic S	10/7/2014	9/26/2014	CLPD-1408	toxicology tests August 2014	$2,240.00	$0.00		$2,240.00
				Totals for Contra Costa County Sheriff - Forensic Svc Div (Lab):	*$2,240.00*	*$0.00*		*$2,240.00*
Contra Costa Tractor Mobile Svc								
Contra Costa Tractor Mobile Svc	10/7/2014	9/26/2014	016514	service call - change oil, emergency response t	$240.32	$0.00		$240.32
				Totals for Contra Costa Tractor Mobile Svc:	*$240.32*	*$0.00*		*$240.32*
Cook's Kitchen & Bath								
Cook's Kitchen & Bath	10/7/2014	9/29/2014	CAP0127	Deposit refund for 132 Joscolo View, Clayton	$500.00	$0.00		$500.00
				Totals for Cook's Kitchen & Bath:	*$500.00*	*$0.00*		*$500.00*
Creative Fencing and Wall, Inc								
Creative Fencing and Wall, Inc	10/7/2014	10/1/2014	22115	P O 28535, 9/23/14	$3,090.00	$0.00		$3,090.00
				Totals for Creative Fencing and Wall, Inc:	*$3,090.00*	*$0.00*		*$3,090.00*
Cropper Accountancy Corp								
Cropper Accountancy Corp	10/7/2014	10/1/2014	921	First Progress Billing - Audit FY 2014	$18,000.00	$0.00		$18,000.00
				Totals for Cropper Accountancy Corp:	*$18,000.00*	*$0.00*		*$18,000.00*
CSAC Excess Insurance Authority								
CSAC Excess Insurance Authority	10/7/2014	9/24/2014	15401016	EAP for October-December 2014- 26 employe	$312.00	$0.00		$312.00
				Totals for CSAC Excess Insurance Authority:	*$312.00*	*$0.00*		*$312.00*
De Lage Land~ Financial Services, Inc.								

City o. Clayton
Cash Requirements Report

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
De Lage Landen Financial Services, Inc.	10/7/2014	9/24/2014	42809421	Property Tax/Admin Fee	$82.81	$0.00		$82.81
De Lage Landen Financial Services, Inc.	10/7/2014	9/24/2014	42809029	contract for October 2014	$342.17	$0.00		$342.17
				Totals for De Lage Landen Financial Services, Inc.:	*$424.98*	*$0.00*		*$424.98*
Division of the State Architect								
Division of the State Architect	10/7/2014	10/1/2014	Q1 14/15	Q1 2014/2015 SB 1186 Fees	$76.50	$0.00		$76.50
				Totals for Division of the State Architect:	*$76.50*	*$0.00*		*$76.50*
Entek Corp								
Entek Corp	10/7/2014	9/24/2014	3591	Construction Mgmt Svcs	$1,300.00	$0.00		$1,300.00
				Totals for Entek Corp:	*$1,300.00*	*$0.00*		*$1,300.00*
Genuine Construction								
Genuine Construction	10/7/2014	9/29/2014	CAP0115	deposit refund - 5607 Bettencourt, Clayton	$500.00	$0.00		$500.00
				Totals for Genuine Construction:	*$500.00*	*$0.00*		*$500.00*
Geoconsultants, Inc.								
Geoconsultants, Inc.	10/7/2014	10/1/2014	18696	well monitoring for September 2014	$1,546.50	$0.00		$1,546.50
				Totals for Geoconsultants, Inc.:	*$1,546.50*	*$0.00*		*$1,546.50*
Lina Ghannam								
Lina Ghannam	10/7/2014	9/24/2014	26734	deposit refund for Hoyer Hall 9/20/14	$200.00	$0.00		$200.00
				Totals for Lina Ghannam:	*$200.00*	*$0.00*		*$200.00*
Globalstar LLC								
Globalstar LLC	10/7/2014	9/26/2014	1000000005858982	service 7/16/14-8/15/14	$54.09	$0.00		$54.09
Globalstar LLC	10/7/2014	10/1/2014	1000000005922244	Service 8/16/14-9/15/14	$54.60	$0.00		$54.60
				Totals for Globalstar LLC:	*$108.69*	*$0.00*		*$108.69*
Grainger, Inc.								
Grainger, Inc.	10/7/2014	10/1/2014	9544302640	supplies	$567.05	$0.00		$567.05
				Totals for Grainger, Inc.:	*$567.05*	*$0.00*		*$567.05*
Graybar Electric Co, Inc								
Graybar Electric Co, Inc	10/7/2014	9/24/2014	974520628	replacement light	$165.38	$0.00		$165.38
Graybar Electric Co, Inc	10/7/2014	9/24/2014	974596320	replacement light poles	$5,009.38	$0.00		$5,009.38
				Totals for Graybar Electric Co, Inc:	*$5,174.76*	*$0.00*		*$5,174.76*
Health Care Dental Trust								
Health Care Dental Trust	10/7/2014	10/3/2014	182326	November Dental	$2,736.00	$0.00		$2,736.00
				Totals for Health Care Dental Trust:	*$2,736.00*	*$0.00*		*$2,736.00*
HUB Inter of CA Ins Svc								
HUB Inter of CA Ins Svc	10/7/2014	9/24/2014	August	Insurance for August 2014	$421.30	$0.00		$421.30
				Totals for HUB Inter of CA Ins Svc:	*$421.30*	*$0.00*		*$421.30*
J & R Floor Services								

City of Clayton
Cash Requirements Report

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
J & R Floor Services	10/7/2014	10/1/2014	nine	September Billing	$4,880.00	$0.00		$4,880.00
				Totals for J & R Floor Services:	*$4,880.00*	*$0.00*		*$4,880.00*
John Deere Landscapes Inc								
John Deere Landscapes Inc	10/7/2014	9/24/2014	69488752	Order # 77358938	$347.36	$0.00		$347.36
John Deere Landscapes Inc	10/7/2014	10/1/2014	68552370	Order # 77622992	$208.53	$0.00		$208.53
John Deere Landscapes Inc	10/7/2014	10/1/2014	68552345	Order # 77685498	$140.88	$0.00		$140.88
				Totals for John Deere Landscapes Inc:	*$696.77*	*$0.00*		*$696.77*
Arlene Kikkawa-Nielsen								
Arlene Kikkawa-Nielsen	10/7/2014	10/1/2014	October	October Library Volunteer Coordinator	$900.00	$0.00		$900.00
				Totals for Arlene Kikkawa-Nielsen:	*$900.00*	*$0.00*		*$900.00*
LarryLogic Productions								
LarryLogic Productions	10/7/2014	9/24/2014	1440	City Council Meeting 8/19/14	$325.00	$0.00		$325.00
LarryLogic Productions	10/7/2014	9/24/2014	1445	City Council Meeting 9/16/14	$325.00	$0.00		$325.00
LarryLogic Productions	10/7/2014	9/26/2014	1449	Planning Commision Meeting - Silver Oaks E	$400.00	$0.00		$400.00
				Totals for LarryLogic Productions:	*$1,050.00*	*$0.00*		*$1,050.00*
Lead Abatement Construction								
Lead Abatement Construction	10/7/2014	9/26/2014	CAP0131	Deposit Refund - 5836 Clayton Rd	$1,952.28	$0.00		$1,952.28
				Totals for Lead Abatement Construction:	*$1,952.28*	*$0.00*		*$1,952.28*
Legal Defense Fund								
Legal Defense Fund	10/7/2014	9/26/2014	110513	Dues October 2014	$13.50	$0.00		$13.50
				Totals for Legal Defense Fund:	*$13.50*	*$0.00*		*$13.50*
Martell Water Systems, Inc.								
Martell Water Systems, Inc.	10/6/2014	9/24/2014	21182	Service Call 8/29/14	$3,062.79	$0.00		$3,062.79
				Totals for Martell Water Systems, Inc.:	*$3,062.79*	*$0.00*		*$3,062.79*
MPA								
MPA	10/7/2014	9/24/2014	B1403-2	Workers' Compensation Premium 2014-15 #2	$22,516.00	$0.00		$22,516.00
MPA	10/7/2014	10/1/2014	October	October Life/LTD	$1,397.85	$0.00		$1,397.85
				Totals for MPA:	*$23,913.85*	*$0.00*		*$23,913.85*
NBS Govt. Finance Group								
NBS Govt. Finance Group	10/7/2014	9/24/2014	91400238	Interim Arbitrage Rebate Analysis 6/7/07-9/2	$1,200.00	$0.00		$1,200.00
NBS Govt. Finance Group	10/7/2014	9/24/2014	91400138	Quarterly Admin Fees 10/1/14-12/31/14	$5,224.25	$0.00		$5,224.25
				Totals for NBS Govt. Finance Group:	*$6,424.25*	*$0.00*		*$6,424.25*
Neopost Northwest								
Neopost Northwest	10/7/2014	10/1/2014	14390491	Ink Cartridges	$258.23	$0.00		$258.23
				Totals for Neopost Northwest:	*$258.23*	*$0.00*		*$258.23*
Northern California's Emergency Vehicle Installations								
Northern California's Emergency Vehicl	10/7/2014	9/26/2014	1731	strip out equipment from patrol car 1731	$625.00	$0.00		$625.00

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
				Totals for Northern California's Emergency Vehicle Installations:	*$625.00*	*$0.00*		*$625.00*
Pacific Telemanagement Svc								
Pacific Telemanagement Svc	10/7/2014	10/1/2014	685822	Pay Phone October 2014	$73.00	$0.00		$73.00
				Totals for Pacific Telemanagement Svc:	*$73.00*	*$0.00*		*$73.00*
Paramount Elevator Corp.								
Paramount Elevator Corp.	10/7/2014	9/24/2014	203340	elevator maintenance	$220.00	$0.00		$220.00
				Totals for Paramount Elevator Corp.:	*$220.00*	*$0.00*		*$220.00*
PERMCO, Inc.								
PERMCO, Inc.	10/7/2014	10/1/2014	10256	General City Engineering Services 9/6/14-9/2	$5,815.00	$0.00		$5,815.00
PERMCO, Inc.	10/7/2014	10/1/2014	10257	General Stormwater Tasks - annual notice	$331.69	$0.00		$331.69
PERMCO, Inc.	10/7/2014	10/1/2014	10258	CAP Inspection 9/6/14-9/26/14	$20.75	$0.00		$20.75
PERMCO, Inc.	10/7/2014	10/1/2014	10259	Diablo Estates BAD - SW Inspections, notices	$1,350.00	$0.00		$1,350.00
PERMCO, Inc.	10/7/2014	10/1/2014	10260	Draft SSMP, meeting with City of Concord	$366.00	$0.00		$366.00
PERMCO, Inc.	10/7/2014	10/1/2014	10261	Collector Street Rehab, review Caltrans proce	$4,132.50	$0.00		$4,132.50
				Totals for PERMCO, Inc.:	*$12,015.94*	*$0.00*		*$12,015.94*
PG&E								
PG&E	10/7/2014	9/26/2014	9/17/14	Service 8/18/14-9/16/14	$19,092.51	$0.00		$19,092.51
PG&E	10/7/2014	9/26/2014	9/24/14	Service 8/23/14-9/23/14	$5,006.60	$0.00		$5,006.60
				Totals for PG&E:	*$24,099.11*	*$0.00*		*$24,099.11*
Pinnacle Construction Services, Inc								
Pinnacle Construction Services, Inc	10/7/2014	9/29/2014	2004	management services for October 2014	$4,152.00	$0.00		$4,152.00
				Totals for Pinnacle Construction Services, Inc:	*$4,152.00*	*$0.00*		*$4,152.00*
PMC (Planning)								
PMC (Planning)	10/7/2014	9/24/2014	41196	professional services 7/26/14-8/29/14	$2,894.98	$0.00		$2,894.98
				Totals for PMC (Planning):	*$2,894.98*	*$0.00*		*$2,894.98*
Raney Planning & Management, Inc.								
Raney Planning & Management, Inc.	10/7/2014	9/24/2014	1322E-9	Labor - August 2014	$653.00	$0.00		$653.00
				Totals for Raney Planning & Management, Inc.:	*$653.00*	*$0.00*		*$653.00*
Redwood Canyon Construction, Inc								
Redwood Canyon Construction, Inc	10/7/2014	10/1/2014	1307	Infiltration Inspection Oakhurst	$600.00	$0.00		$600.00
Redwood Canyon Construction, Inc	10/7/2014	10/1/2014	1306	Infiltration Inspection Community Park	$700.00	$0.00		$700.00
				Totals for Redwood Canyon Construction, Inc:	*$1,300.00*	*$0.00*		*$1,300.00*
Riso Products of Sacramento								
Riso Products of Sacramento	10/7/2014	9/26/2014	130561	lease 8/18/14-9/17/14	$94.86	$0.00		$94.86
Riso Products of Sacramento	10/7/2014	10/1/2014	131081	contract 9/18/14-10/17/14	$94.86	$0.00		$94.86
				Totals for Riso Products of Sacramento:	*$189.72*	*$0.00*		*$189.72*
San Diego Police Equipment Co.								

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
San Diego Police Equipment Co.	10/7/2014	9/26/2014	614015	order # 76412	$4,759.68	$0.00		$4,759.68
				Totals for San Diego Police Equipment Co.:	*$4,759.68*	*$0.00*		*$4,759.68*
Sprint Comm (PD)								
Sprint Comm (PD)	10/7/2014	9/26/2014	703335311-153	service 7/26/14-8/25/14	$260.82	$0.00		$260.82
				Totals for Sprint Comm (PD):	*$260.82*	*$0.00*		*$260.82*
Stevens, Ferrone & Bailey Engineering Co, Inc								
Stevens, Ferrone & Bailey Engineering C	10/7/2014	10/1/2014	555-2.1	Lump Sum for Initial Monitoring/Report 7/9	$6,900.00	$0.00		$6,900.00
				Totals for Stevens, Ferrone & Bailey Engineering Co, Inc:	*$6,900.00*	*$0.00*		*$6,900.00*
US Bank Corp Pymt System (Cal Card)								
US Bank Corp Pymt System (Cal Card)	8/19/2014	8/27/2014	Stmt Ending 7/22/14	Land's End - work shirt	$43.53	$0.00		$43.53
US Bank Corp Pymt System (Cal Card)	8/19/2014	8/27/2014	Stmt Ending 7/22/14	Geoconsultants - monitoring May 2014	$1,546.50	$0.00		$1,546.50
US Bank Corp Pymt System (Cal Card)	8/19/2014	8/27/2014	Stmt Ending 7/22/14	business lunch Re: 2007 bonds - IRS Audit	$29.70	$0.00		$29.70
US Bank Corp Pymt System (Cal Card)	8/19/2014	8/27/2014	Stmt Ending 7/22/14	Central Storage - Rent	$96.00	$0.00		$96.00
US Bank Corp Pymt System (Cal Card)	8/19/2014	8/27/2014	Stmt Ending 7/22/14	supplies	$307.17	$0.00		$307.17
US Bank Corp Pymt System (Cal Card)	8/19/2014	8/27/2014	Stmt Ending 7/22/14	supplies to paint EH fence	$108.96	$0.00		$108.96
US Bank Corp Pymt System (Cal Card)	8/19/2014	8/27/2014	Stmt Ending 7/22/14	vehicle supplies	$390.24	$0.00		$390.24
US Bank Corp Pymt System (Cal Card)	8/19/2014	8/27/2014	Stmt Ending 7/22/14	nails	$9.46	$0.00		$9.46
US Bank Corp Pymt System (Cal Card)	8/19/2014	8/27/2014	Stmt Ending 7/22/14	trailer batteries	$651.74	$0.00		$651.74
US Bank Corp Pymt System (Cal Card)	8/19/2014	8/27/2014	Stmt Ending 7/22/14	repair dump truck - WC Ford	$3,029.26	$0.00		$3,029.26
US Bank Corp Pymt System (Cal Card)	8/19/2014	8/27/2014	Stmt Ending 7/22/14	supplies for Grove Park	$134.54	$0.00		$134.54
US Bank Corp Pymt System (Cal Card)	8/19/2014	8/27/2014	Stmt Ending 7/22/14	supplies	$959.68	$0.00		$959.68
US Bank Corp Pymt System (Cal Card)	8/19/2014	8/27/2014	Stmt Ending 7/22/14	fuel	$1,196.34	$0.00		$1,196.34
US Bank Corp Pymt System (Cal Card)	8/19/2014	8/27/2014	Stmt Ending 7/22/14	landscape fuel	$1,631.63	$0.00		$1,631.63
US Bank Corp Pymt System (Cal Card)	8/19/2014	8/27/2014	Stmt Ending 7/22/14	office supplies	$92.66	$0.00		$92.66
US Bank Corp Pymt System (Cal Card)	8/19/2014	8/27/2014	Stmt Ending 7/22/14	postage	$1.61	$0.00		$1.61
US Bank Corp Pymt System (Cal Card)	8/19/2014	8/27/2014	Stmt Ending 7/22/14	uniform	$138.32	$0.00		$138.32
US Bank Corp Pymt System (Cal Card)	8/19/2014	8/27/2014	Stmt Ending 7/22/14	livescan	$108.50	$0.00		$108.50
US Bank Corp Pymt System (Cal Card)	8/19/2014	8/27/2014	Stmt Ending 7/22/14	Sprint - cell phone bill payment	$50.00	$0.00		$50.00
US Bank Corp Pymt System (Cal Card)	8/19/2014	8/27/2014	Stmt Ending 7/22/14	taser cartridges, battery	$625.53	$0.00		$625.53
US Bank Corp Pymt System (Cal Card)	8/19/2014	8/27/2014	Stmt Ending 7/22/14	airsoft training supplies	$139.89	$0.00		$139.89
US Bank Corp Pymt System (Cal Card)	8/19/2014	8/27/2014	Stmt Ending 7/22/14	vehicle fuel	$2,651.47	$0.00		$2,651.47
US Bank Corp Pymt System (Cal Card)	8/19/2014	8/27/2014	Stmt Ending 7/22/14	training , taser, glock, lunch	$390.76	$0.00		$390.76
US Bank Corp Pymt System (Cal Card)	8/19/2014	8/27/2014	Stmt Ending 7/22/14	car washes	$39.49	$0.00		$39.49
				Totals for US Bank Corp Pymt System (Cal Card):	*$14,372.98*	*$0.00*		*$14,372.98*
Waraner Brothers Tree Service								
Waraner Brothers Tree Service	10/7/2014	10/1/2014	11494	Fire Abatement Work - Regency	$3,000.00	$0.00		$3,000.00
Waraner Brothers Tree Service	10/7/2014	10/1/2014	14495	Creek Work - El Molino	$5,000.00	$0.00		$5,000.00
Waraner Brothers Tree Service	10/7/2014	10/1/2014	11496	Fire Abatement Work - Donner Creek	$3,200.00	$0.00		$3,200.00
				Totals for Waraner Brothers Tree Service:	*$11,200.00*	*$0.00*		*$11,200.00*
Western Exterminator								
Western Exterminator	10/7/2014	9/24/2014	2540762	service for August 2014	$370.00	$0.00		$370.00

Totals for Western Exterminator:	*$370.00*	*$0.00*	*$370.00*
GRAND TOTALS:	**$312,751.88**	**$0.00**	**$312,751.88**

CalCard List (in order by account number)				
9/22/2014				
Amount Billed	Rec'd	Name	Department	Notes
	☐	Gary Napper	Admin	
$ 685.53	☐	Ed Bryce	PW	
$ 558.79	☐	Dan Johnston	PW	
$ 379.79	☐	Richard Enea	PD	
$ 659.81	☐	Richard McEachin	PD	
$ 605.93	☐	Laura Hoffmeister	Admin	
$ 851.29	☐	Sandro Arias	PW	
$ 367.99	☐	Jason Shaw	PD	
$ 293.87	☐	Russ Eddy	PD	
$ 293.10	☐	Allan Pike	PD	
$ 364.94	☐	Wendy Roden	PD	
$ 87.06	☐	Chris Thorsen	PD	
$ 19.47	☐	Sandy Johnson	PD	
$ -	☐	Janet Brown	Admin	
$ 626.52	☐	Lee Borman	PD	
$ 233.64	☐	Garrett Wayne	PD	
$ 336.43	☐	John Fraga	PD	
$ 462.86	☐	Tim Marchut	PD	
$ -	☐	Kevin Mizuno	Admin	
$ 2,093.87	☐	Mark Janney	PW	
$ 1,091.07	☐	John Johnston	PW	
$ 114.85	☐	Allen White	PD	
n/a		Adjustments		
Total Payment:		$ 10,126.81		
Total Admin: $ 605.93				
Total PW: $5,280.55		$ 10,126.81		
Total PD: $4,240.33				

AUTOMATIC DATA PROCESSING
820 N. MCCARTHY BLVD.
MILPITAS, CA 95035

Payment Advice

Date: 09-16-2014

Br/Co: 04Z7L-A

2514
CITY OF CLAYTON
ATTN: JENNIFER GIANTVAL
6000 HERITAGE TRAIL
CLAYTON, CA 94517

001001002514

This is to advise you in detail of an ACH transaction applied to your account.

Check Date	Br/Co	Description	Reason	Amount
09-17-2014	04/Z7L	ER FSDD Document #: 357549884525	IMP	57,586.27 DR
09-17-2014	04/Z7L	ER ADPCK Document #: 578031724683	IMP	3,279.33 DR
Total				**60,865.60 DR**

If you have any questions regarding your Payment Advice, please contact your ADP Representative/Payroll Center or Account Manager.

Reason Descriptions:

IMP This charge is for a payroll or adjustment associated with the referenced payroll check date.

For ADP Internal Use Only: Clearing Document # 564030344593

Agenda Date: 10-7-2014

Agenda Item: 3c

CITY OF CLAYTON
Founded 1857 . . Incorporated 1964

Approved:

Gary A. Napper
City Manager

AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: CITY MANAGER

DATE: 07 OCTOBER 2014

SUBJECT: APPROVAL OF 2-YEAR MEMORANDUM OF AGREEMENT (MOA) CLAYTON UNDESIGNATED MISCELLANEOUS CITY EMPLOYEES GROUP

RECOMMENDATION

It is recommended the City Council adopt the attached Resolution authorizing and approving a 2-year Memorandum of Agreement (MOA) with the Clayton Undesignated Miscellaneous City Employees Group concerning certain terms and conditions of their employment and compensation with the City of Clayton, retroactive to 01 July 2014 and continuing through 30 June 2016.

BACKGROUND

In December 2006 the City of Clayton approved a 3-year Agreement with the Clayton Undesignated Miscellaneous City Employees Group, retroactive to 01 July 2006. This action was pursuant to California state laws that require a public employer and each of its organized or undesignated collective bargaining units to meet and confer or consult (respectively) over terms and conditions of employment and compensation (ref. *Government Code Section 3500*, et. seq.). That 3-year Agreement expired 30 June 2009.

During the subsequent four (4) year period into 2013, the City Council adopted one year Addenda to the underlying Memorandum of Agreement (MOA) with this Group while enacting new labor concessions and extending continued terms and conditions of employment with the Miscellaneous City Employees. A portion of the terms enacted each of the those four (4) years included annual labor concessions amounting to a 4.3% reduction in pay in the form of 11 unpaid furlough days ($52,105), no employee merit advancements ($11,482), no cost-of-living increases (no COLAs), and employees absorbing further rate increases in employee health insurance premiums.

In addition, three years ago this Group was among the first in the state to agree on the establishment of a Tier II retirement system for all new and "Classic" employees hired after 30 June 2010. This Tier II Plan rolled back the CalPERS pension formula to 2% at age 60 (the lowest CalPERS pension plan offered at the time), in contrast to the current employees' plan of 2% at age 55 (the second lowest CalPERS pension plan offered). Subsequent to that labor event, the California Public Pension Reform Act (PPRA) instituted a Tier III Plan for Miscellaneous Employees, effective 01 January 2013, which establishes a defined-benefit pension plan for new City employees of 2% at age 62.

Addendum No. 4 expired on 30 June 2013 and it was necessary under the law to consult with this collective bargaining unit and attempt to achieve a replacement agreement governing compensation and terms of public employment for this Group in FY 2013-14. As the City's Budget for FY 2013-14 was late in progress (not adopted until July 2013), the Miscellaneous Employees Group offered to extend the existing yet expiring terms and conditions to 30 September 2013 to allow both parties time to assess the budgetary situation of the City. The City Council adopted Resolution No. 14 – 2013 on 04 June 2013 to concur with that arrangement (ref. Addendum No. 5).

On 05 November 2013 the City Council completed its obligations under state law and adopted Resolution No. 35 – 2013 approving a 1-year Agreement with this employee group which effectively removed nine (9) of the eleven (2) unpaid work furlough days last year (retaining 2) and required further employee contributions to one's medical and dental insurance premiums. While partial restoration of employee former pay scales did occur with the elimination of nine (9) furlough days, employees in this Group for the 5th year in a row received no cost-of-living adjustments (no COLAs). This Agreement was to sunset on 30 June 2014.

In anticipation of the 1-year Agreement expiring, the City and this Group agreed on 17 June 2014 to a three month extension to the terms and conditions contained in the current Agreement (ref. City Resolution No. 18 - 2014) to end on 30 September 2014. Inherent in the rollover terms was the condition employee pay continued to be reduced for the 2 unpaid furlough days (0.77% reduction) but without employees actually taking unpaid time off from work to offset that pay reduction.

MEET AND CONSULT DISCUSSIONS

Over the last three (3) months employees of this Unit continued to experience that furlough reduction in pay along with no merit increase adjustments or cost-of-living modifications. Since the June 2009 commencement of employee compensation concessions during the "Great Recession", the San Francisco – Bay Area Consumer Price Index (CPI) rose by 12.26%, further reducing the net value of Miscellaneous employees' compensation in our City.

During the past summer, both parties in good faith exchanged proposals and counter-proposals on monetary issues of concern to each other while maintaining the status quo.

On September 18th mutual agreement was achieved that results in the approval of a new and revised Memorandum of Agreement (MOA).

SUMMATION OF NEW AGREEMENT

The parties have agreed to a two (2) year Agreement on the essential terms and conditions of employment FY 2014-15 and FY 2015-16 with the notable changes as follows (note: costs reflect employer full cost, not what employees actually receive in pay or benefit):

Category	1st Year Cost	2nd Year Cost	Cumulative
A. Rescind 2 remaining furlough days.	$ 8,977	$ 9,246	$ 18,223
B. Cost-of Living Adjustment of 1.5% each year.	$ 17,854	$ 18,376	$ 36,230
C. Unfreeze Merit Step increases for eligible employees.	$ 14,998	$ 21,714	$ 36,712
D. Retain existing ratio of co-pay on medical and dental insr.	$ 3,162	$ 6,704	$ 9,866
E. Longevity Pay of 1% for existing employees with 15 yrs. or more continuous employment with City and at Top Step as of August 1, 2014.	$ 5,465	$ 5,721	$ 11,186
F. Eliminate Lincoln's Birthday as a paid City Holiday (Feb. 12th).	- neutral cost but one productivity day in return –		
G. City co-pays to Medical Insurance benchmarked to least costly plan between Blue Shield NetValue or Kaiser Permanente.	- probable savings to City now and in future –		
TOTALS:	$ 50,456	$ 61,761	$112,217

All other terms and conditions contained in the expired base Memorandum of Agreement (MOA) remain in full force and effect.

The fifteen (15) employee positions covered by this Agreement include top level City Management employees (except the City Manager), Public Works/Maintenance employees, City Hall employees, and civilian Police Department employees.

FISCAL IMPACT

As noted above the 2-year Agreement represents a total cost to the City of $112,217 spread over two (2) fiscal years. Some additional "savings" will undoubtedly occur with the benchmarking of medical insurance payments by the City to the least expensive plan offered by CalPERS through Blue Shield NetValue or Kaiser Permanente.

The FY 2013-14 City Budget concluded operations with a projected General Fund surplus of $170,700, continuing the City's historically-conservative budgeting practices that typically produce an average annual General Fund surplus of approximately $100,000. With real property assessed valuations once again on the rise in our primarily residential community, the expectation is FY 2014-15 will end its operations with similar results. With the state's demise of redevelopment agencies statewide, the City's share of the assessed valuation tax bill has risen from 4.3% to approximately 6.9%. The adopted FY 2014-15 City Budget (which incorporated the police association labor agreement expenses) contained a General Fund surplus projected at $27,286.

Of note is the City's General Fund is not the sole source of this financial impact as some members of this Miscellaneous Employees Group also charge out labor time to special and enterprise funds of the City (e.g. Maintenance Landscape District; Gas Tax; Storm Water; The Grove Park District).

Attachments:
- A. Resolution approving a 2-Year MOA [2 pp.]
  - Exhibit 1: Memorandum of Agreement [12 pp.]
- B. Red-lined Copy of MOA [14 pp.]

RESOLUTION NO. - 2014

A RESOLUTION APPROVING A TWO (2) –YEAR MEMORANDUM OF AGREEMENT WITH THE CLAYTON UNDESIGNATED MISCELLANEOUS CITY EMPLOYEES GROUP EFFECTIVE THE FISCAL YEARS OF 2014-2015 AND 2015-2016

THE CITY COUNCIL
City of Clayton, California

WHEREAS, authorized representatives of the City of Clayton and the Clayton Undesignated Miscellaneous City Employees Group have met and consulted in good faith regarding certain matters including, but not limited to, wages, hours, and terms and conditions of employment with the City, pursuant to *California Government Code* Section 3500, et. seq.; and

WHEREAS, the parties to the aforementioned negotiations have set forth a two (2) year Memorandum of Agreement (MOA) that encompasses the full and complete terms and conditions reached between the parties as a result of said good faith negotiations; and

WHEREAS, the proposed Memorandum of Agreement, contained and described in its entirety as "Exhibit 1" and incorporated herein by reference to this Resolution, was presented to the members of the Miscellaneous City Employees Group on 18 September 2014 and the Group has since represented to the City Manager of its ratification and approval, witnessed by the signature of its authorized Group representatives; and

WHEREAS, the City Manager, as the City Council's designated labor negotiator, does herein recommend approval of the proposed Memorandum of Agreement as outlined in its entirety as "Exhibit 1".

NOW, THEREFORE, BE IT RESOLVED that the City Council of Clayton, California does hereby accept and approve the 2-year Memorandum of Agreement (attached as "Exhibit 1") by and between the City and the Clayton Undesignated Miscellaneous City Employees Group for the term thereof, retroactive to 01 July 2014 and effective the Fiscal Years of 2014-2015 and through 2015-2016, and does hereby authorize and instruct the City Manager to implement the agreed-upon terms and conditions accordingly.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held on the 7th day of October 2014 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

THE CITY COUNCIL OF CLAYTON, CA

____

Hank Stratford, Mayor

ATTEST:

____

Janet Brown, City Clerk

Exhibit :

TERMS AND CONDITIONS OF EMPLOYMENT FOR THE UNDESIGNATED MISCELLANEOUS CITY EMPLOYEES UNIT EFFECTIVE THE FISCAL YEARS OF 2014-2015 AND 2015-2016

ARTICLE 1: PREAMBLE

This agreement, pursuant to the State of California Government Code Section 3500 et seq., entered into by the City of Clayton, hereinafter referred to as "City", and its Undesignated Miscellaneous City Employees, hereinafter referred to as "Unit", is hereby effective 01 July 2014 through 30 June 2016.

It is the intent and purpose of this document to set forth the understanding and agreement of the parties reached as a result of meeting and consulting in good faith regarding, but not limited to, matters relating to wages, hours, and terms and conditions of employees represented by the Unit. Any and all other employment matters not contained in this document are applicable as found in the City's "Personnel System and Guidelines" dated March 1993.

ARTICLE 2: GROUP DESCRIPTION

The following job classifications are members of this Unit for purposes of the agreements in this document:

Job Classifications
Accounting Technician
Administrative Assistant/Code Enforcement Officer
Assistant to the City Manager
Chief of Police
City Clerk/HR Manager
Community Development Director
Community Services Officer
Finance Manager
Maintenance Supervisor
Maintenance Leader
Maintenance Worker I
Assistant Planner
Police Office Coordinator

ARTICLE 3: PERSONNEL FILES

The City's secured personnel files, maintained in the City offices, are not subject to public inspection. Any employee has the right to inspect their own personnel file. An employee has the right, in accordance with law, to respond in writing to anything contained or placed in their own personnel file and any such response(s) shall become part of their personnel file.

ARTICLE 4: WORK HOURS

The work period (hours) for classifications and corresponding compensation in this Unit will be eighty (80) work hours in a bi-weekly (14-day) work period.

Any employee in this Unit scheduled to regularly work less hours than the defined work period shall receive a corresponding pro-rated portion of the monthly compensation and employee benefits outlined in Articles 5, 6 and 8 below.

ARTICLE 5: COMPENSATION

Section 5.1 Wages

A. Effective 01 July 2014, the monthly base salary ranges for the following job classifications shall be increased by 1.5% and become:

Classification	A	B	C	D	E
Accounting Technician	4063	4266	4479	4704	4938
Administrative Assistant/ Code Enforcement Officer	3383	3553	3730	3917	4112
Assistant to the City Mgr.	5575	5854	6146	6453	6776
Chief of Police	8061	8464	8887	9332	9798
City Clerk/HR Manager	5185	5443	5716	6002	6302
Community Development Director	7495	7869	8263	8676	9110
Community Services Officer	3383	3553	3730	3917	4112
Finance Manager	6614	6945	7292	7656	8039
Maintenance Supervisor	4942	5189	5449	5721	6007
Maintenance Leader	4076	4280	4494	4719	4955
Maintenance Worker I	3376	3544	3721	3908	4103
Assistant Planner	5185	5443	5716	6002	6302
Police Office Coordinator	3821	4013	4213	4424	4646

B. Effective 01 July 2015, the monthly base salary ranges for the following job classifications shall be increased by 1.5% and become:

Classification	A	B	C	D	E
Accounting Technician	4124	4330	4546	4774	5012
Administrative Assistant/ Code Enforcement Officer	3434	3606	3786	3976	4173
Assistant to the City Mgr.	5659	5941	6238	6550	6878
Chief of Police	8182	8591	9021	9472	9945
City Clerk/HR Manager	5262	5525	5802	6092	6397
Community Development Director	7607	7987	8387	8806	9246
Community Services Officer	3434	3605	3786	3976	4173
Finance Manager	6713	7049	7401	7771	8159
Maintenance Supervisor	5016	5267	5530	5806	6097
Maintenance Leader	4137	4344	4562	4790	5030
Maintenance Worker I	3427	3598	3777	3966	4164
Assistant Planner	5262	5525	5802	6092	6397
Police Office Coordinator	3879	4074	4276	4491	4715

During and expiring at the term of this Agreement, salary advancement for merit or exemplary service of an eligible employee, as recommended by the respective Department Head and approved by the City Manager, is hereby restored effective 01 July 2014. Upon an eligible employee's next salary anniversary date after 01 July 2014, an eligible and approved employee may receive a one (1) step merit increase in base pay, and a one (1) merit step increase in base pay on one's subsequent salary anniversary date thereafter, provided the recommendation and the approval as noted above is obtained and a merit salary step remains available within the employee's classification pay range. In no event shall a merit step increase be earned or granted beyond Step E or the expiration date of this Agreement.

ARTICLE 6: MEDICAL, DENTAL, AND LIFE/ACCIDENTAL DEATH/DISMEMBERMENT INSURANCE

Section 6:1 City Contribution to Medical and Dental Insurance Premiums

The maximum monthly City premium contribution for medical and/or dental insurance coverage for regular, full-time members of this Unit shall be paid by the City in accord with the following employee subscription enrollment schedule.

A. The City's maximum premium contribution to employee-enrolled medical and dental insurance coverage shall be as follows:

1. Medical Insurance (thru CalPERS' Public Employees' Medical and Hospital Care Act). For the six (6) month time period from 01 July 2014 through 31 December 2014, the City's maximum premium monthly contribution will be in accordance with the premium schedule listed below for an employee's existing medical plan enrollment.

Commencing 01 January 2015, the City's maximum monthly co-pay contribution specified below is benchmarked to the least costly medical insurance premium offered between Blue Shield Net Value HMO or Kaiser Permanente plans. Should a member of this Unit elect to enroll in a CalPERS medical insurance plan with a corresponding monthly premium higher than the least costly premium between the two medical plans listed above, the employee is responsible for 100% of the added premium cost above the least costly plan's premium for each of the enrollment options noted below:

1. Employee Only enrollment: City pays 100% of the selected Plan premium.
2. Employee + 1 Dependent enrollment: City pays 100% of the selected Plan premium for the Employee Only and 50% of additional premium expense for the 1 Dependent.
3. Employee + Family enrollment: City pays 100% of the selected Plan premium for the Employee Only and 59.375% of additional premium expense for the Family.

2. Dental Insurance (thru the Municipal Pooling Authority's Delta Dental Health Care Employees/Employers Dental Trust):
1. Employee Only enrollment: City pays 100% of the Plan premium.
2. Employee + 1 Dependent: City pays 100% of the Plan premium for the Employee Only and 46.8% of additional premium expense for the 1 Dependent.
3. Employee + Family: City pays 100% of the Plan premium for the Employee Only and 60.94% of additional premium expense for the Family.

Proration of the above City premium contributions for permanent part-time eligible employees shall be calculated and applied based on said employee's percentage of regularly-scheduled work hours as to a regularly-scheduled forty (40) hours work week (e.g. an employee scheduled to work 24 hours per work receives sixty (60) percent of the City's premium contribution).

B. The above City premium cap contributions shall not and do not increase the following non-enrollment plan categories:

No Enrollment/Unused Benefit (enrollments after 30 June 2010): $ -0-

No Enrollment/Unused Benefit (enrollments before 30 June 2010): $ 250.00/mo.

(Provided proof is submitted to the City that similar medical and dental coverage is available to the employee, is placed and maintained via another qualified third party insurance provider. Ref. Section 6.2).

Section 6.2 Unused Medical Benefit Account

Employees may elect to decline City-provided medical and/or dental coverage only in cases when the employee is covered under an alternate third party insurance plan. Proof of insurance is required. For employees authorized to decline City-provided medical and/or dental coverage, the City will contribute a monthly amount, up to the maximum monthly premium cap outlined in Section 6.1 above under "No Enrollment", to a City-approved deferred compensation plan or to the employee's Unused Medical Benefit account, at the employee's designated option. Those members of this Unit whose expense for their enrolled subscription in City-secured medical and dental insurance is less than the maximum amounts listed in Section 6.1 may only elect to have said monthly difference placed in their City-approved deferred compensation plan or deposited into the employee's Unused Medical Benefit account, at the employee's designated option.

In order for one to qualify for City contribution toward medical and/or dental insurance coverage, an employee in a classification of this Unit must be permanently scheduled to work a minimum of twenty (20) hours per week. Such "part-time" regular employee is then eligible to enroll in the City-provided medical and/or dental insurance coverage but the City's maximum contribution for such a part-time regular employee is pro-rated in ratio to the percentage of the number of permanent hours worked per week. For example, if a part-time employee regularly works 32 hours per week (which represents a 0.8 full-time employee), then the individual is eligible to receive a maximum City contribution toward their subscribed medical and/or dental enrollment equal to 80% of the maximum amount specified in Section 6.1.

Section 6.3 Life/Accidental Death/Dismemberment Insurance

The City will contract and pay the full premium to enroll each permanent full-time and part-time employee in a $50,000 face amount life insurance policy and a $50,000 Accidental Death and Dismemberment Insurance coverage.

Section 6.4 Short Term and Long Term Disability Insurance

The City shall provide and pay for short term (STD) and long term disability (LTD) insurance(s) in behalf of each employee of this Unit for the purpose of providing contracted levels of continued compensation in the event of an off-duty illness or injury.

ARTICLE 7: EMPLOYEE RETIREMENT PENSION SYSTEM

The City is a member of the California Public Employees' Retirement System, hereinafter referred to as "CalPERS". All regular full-time and regular part-time employees of this Unit are required by contract and corresponding law to be participating members of this retirement system.

Section 7.1 Tier I "Classic" Existing City Employees as of 30 June 2010

By contract, the City and its eligible employees of this Unit are members of the 2% at age 55 Miscellaneous Employees CalPERS retirement system. The City shall pay the entire required Employer CalPERS rate and share for this Miscellaneous Retirement System and all increases in rate thereof during the term of this Agreement, including any costs of administration. In addition, the City shall pay 100% of the current 7% Employee CalPERS fixed rate and share for members of this Miscellaneous Retirement System.

Section 7.2 Tier II Retirement System for "Classic" Employees

By contract, all regular full-time and regular part-time employees of this Unit hired on or after 01 July 2010 are required to be participating members in the California Public Employees' Retirement System ("CalPERS"). In addition, any new City employees hired after that date but deemed "Classic" CalPERS members due to enrollment and active participation in a CalPERS pension system through another CalPERS public agency, as defined by state law, shall become members of the City's Tier II CalPERS plan. The City shall contract with CalPERS and enroll eligible employees in this hiring category in the CalPERS "2% at age 60" Miscellaneous Retirement System.

The City shall pay the entire required Employer CalPERS rate for this "2% at age 60" retirement system and all increases in the rate thereof, and the employee shall pay 100% of the entire required Employee CalPERS fixed rate. For purpose of calculating eligible retirement pension, the 2% at 60 Plan shall be the average of the highest 3 years of eligible compensation paid to the employee.

Section 7.3 Tier III Retirement System for New Members of this Unit

By contract, all regular full-time and regular part-time employees of this Unit hired on or after 01 January 2013 and not a previous member of a CalPERS plan without a 6-

month interruption of service shall become members of the City's Tier III CalPERS plan. The City shall contract with CalPERS and enroll eligible employees in this hiring category in the CalPERS "2% at age 62" Miscellaneous Retirement System.

The City and employee enrolled in this CalPERS plan shall each pay fifty percent (50%) of the "normal cost rate", as defined in the Public Employees' Pension Reform Act (PEPRA), and as calculated by CalPERS. The "normal cost rate" is subject to annual change as ordered by CalPERS.

ARTICLE 8: HOLIDAYS AND LEAVES

Section 8.1 Eligibility for Paid Leaves

Permanent employees of this Unit regularly scheduled to work less than an average eighty (80) hour bi-weekly pay period will earn each paid leaves at a rate proportionate to their number of permanently scheduled work hours.

Section 8.2 Holiday Leave

Permanent regular employees of this Unit shall receive the following ten (10) 8-hour days of paid holiday leave each calendar year:

New Year's Day	Martin Luther King, Jr. Day
Presidents' Day	Memorial Day
Independence Day	Labor Day
Veterans' Day	Thanksgiving Day
Friday after Thanksgiving	Christmas Day

Holidays falling on non-work days will be observed on the nearest regular work day.

Section 8.3 Personal or "Floating" Leave

In addition to the holidays listed under Section 8.2, all members of this Unit shall receive twenty-four (24) hours of paid Personal Leave in each fiscal year. Said leave hours will be credited on July 1st of each year and shall be taken at the employee's discretion, with the advance consent of their supervisor. If one's Personal Leave hours are not used or exhausted by the end of the fiscal year (June 30th), the remaining hours are forfeited. Permanent regular employees working less than a 40-hour work week shall receive paid Personal Leave hours on a pro-rata basis based on their number of regularly scheduled work hours per week. Unused Personal Leave is not compensable on separation of City employment.

Section 8.4 Vacation Leave

Permanent regular employees of this Unit shall be entitled to earn annual paid vacation leave with pay.

A. Vacation leave credit for a 40-hour work week employee shall be accrued on the following basis:

1.	Month 1 through Month 24:	6.67 hours per month
2.	Month 25 through Month 48:	8.00 hours per month
3.	Month 49 through Month 96:	10.00 hours per month
4.	Month 97 through Month 180:	13.33 hours per month
5.	Month 181 and thereafter:	16.67 hours per month

B. Vacation leave credit for permanent regular employees working less than a 40-hour week shall be credited as in Section "A" above on a pro-rata basis based upon the number of hours regularly scheduled to work per week.

C. Vacation leave may be used as earned, subject to the advance approval of one's department manager, based on staffing requirements.

D. Vacation leave may only be used in increments of one-quarter (0.25) hour or more.

E. Vacation leave may be accrued to a maximum number of hours equivalent to eighteen (18) times one's current monthly accrual rate.

F. Upon leaving City employment, the employee will be paid for all accrued, unused vacation leave up to one's maximum annual accrual allowed in sub-section "E".

G. An employee may elect once per fiscal year to convert accrued vacation leave hours into accrued sick leave hours before the end of the fiscal year, at a conversion rate of one (1) hour of accrued vacation into one-half (0.5) hour of sick leave, provided the employee's accrued vacation leave balance exceeds their annual vacation leave accrual specified in sub-section A above at the time of conversion.

<u>Section 8.5 Sick Leave</u>

A. Paid sick leave is earned at the rate of eight (8) hours for each month worked. Permanent regular employees working less than a 40-hour work week shall earn paid sick leave hours on a pro-rata basis based on their number of hours regularly scheduled to work per week.

B. Maximum accrual of sick leave is limited to nine-hundred sixty (960) hours of unused leave.

C. Unused sick leave shall not be paid off in cash or in any other form of compensation upon separation from City employment.

D. Up to twenty-four (24) hours of accrued sick leave may be used by an employee to attend a funeral of close family members, with the approval of the City Manager.

E. Employees may use accrued sick leave for non-work-related disabilities or illnesses up to the effective or commencement date of short-term or long-term disability benefits.

F. A physician's report may be required by one's department manager for extended periods of sick leave usage by an employee in this Unit, or if in the determination of the City Manager, the employee exhibits greater than average, or unusual patterns or circumstances in their use of sick leave.

G. Employees unable to return to work within six (6) months of the date of disability (whether work or non-work-related) may be separated from City employment, unless an extension is approved by the City Manager, and except as otherwise restricted by state or federal law.

H. Employees who have accumulated two-hundred forty (240) hours or more of accrued sick leave may be credited, at the employee's written request, with two (2) additional vacation leave hours for each consecutive three (3) month period in which no paid sick leave was used by the employee.

Section 8.6 Management Leave

In lieu of earning overtime or compensatory time off, department managers (as designated by the City Manager) will be granted up to a maximum of one-hundred twenty (120) hours of paid management leave each fiscal year. The amount available to each management employee may vary, at the discretion of the City Manager. Management leave hours will be credited to the designated manager's leave time account at the commencement of each fiscal year in the total number of hours granted by the City Manager to that employee. Management leave must be used within the fiscal year in which it is earned, and unused leave will not be paid in cash or any other form of compensation upon separation from City employment.

Section 8.7 Work Furlough Days

The two (2) work furlough days carried forward into FY 2014-15, for which employee pay has been reduced since 01 July 2014 through the current payperiod and for which employees in this Unit did not take unpaid time off from work, are hereby eliminated and the corresponding employee compensation is restored retroactive to 01 July 2014.

ARTICLE 9: OVERTIME

Section 9.1 Regular Overtime

The City will compensate eligible regular non-management employees for each one-quarter hour (0.25) of overtime worked at the rate of one and one-half times (1.5) the employee's base hourly rate including applicable FLSA-required compensation. Overtime is defined as hours worked in excess of eighty (80) hours per pay period, or hours worked in excess of a regularly-scheduled shift. Employees working partial or reduced schedules will not be eligible for overtime until their hours worked exceed the regular work hours noted in Article 4. Authorization of the employee's supervisor must be obtained prior to the working of overtime hours, except in emergency situations. Compensation for overtime shall be in the form of cash payment, or if requested by the employee and approved by their supervisor, in the form of compensatory time off (CTO) that shall also accrue at the rate of one and one-half (1.5) times the actual overtime hours worked.

For purposes of calculating overtime and compensatory time, all paid leave shall be considered as hours worked.

Section 9.2 Compensatory Time Off

A maximum of one hundred (100) hours of compensatory time off (CTO) may be accrued by each eligible employee of this Unit, except when additional hours are approved by the City Manager for a recognized or specific operational need or situation. Whenever possible and in the discretion of one's supervisor, overtime shall be compensated with compensatory time off. Compensatory time off may be used by written request of the employee filed at least three (3) days in advance with the appropriate supervisor. Management will make every effort to comply with time off requests of the employee and shall not arbitrarily assign employees to compensatory time off. Accrued unused CTO is compensable on separation of City employment.

ARTICLE 10: BILINGUAL PAY

The City has the sole and exclusive right to determine and designate which Employees, and how many Employees, are eligible to receive bilingual pay of $75.00 per month. Designated Employees will be required to demonstrate conversational fluency in a language (e.g. Spanish) as determined by the City Manager based on community/public needs and organizational usage. The City may administer a competency test to certify fluency of the Employee in the designated language. Any such certification shall be a condition prior to Employee qualifying for monthly bilingual pay.

ARTICLE 11: AUTOMOBILE ALLOWANCE

Certain employees' duties require that each have continuously available transportation for City business or work-related purposes. Each employee position designated below shall provide an operable personal vehicle for use for normal business and personal use. The Employer agrees to provide each designated employee with a monthly automobile allowance as specified below:

Position	Monthly Auto Allowance
Chief of Police	$370.00
Community Development Director	$345.00
Assistant to the City Manager	$345.00

Each employee shall be responsible for all operation expenses, maintenance expenses, repair expenses, replacement cost and insurance for the personal automobile used for this purpose. Employee shall at all times maintain adequate insurance for the automobile and shall inform his/her insurer that the automobile is used for City business and personal purposes. Each employee shall maintain and provide to the City a valid Certificate of Insurance demonstrating comprehensive automobile liability coverage for the vehicle used and naming the City of Clayton as an additional insured on the applicable insurance policy.

ARTICLE 12: LONGEVITY PAY

Currently-employed members of this Unit who on or before 01 August 2014 have fifteen (15) years or more of consecutive years of employment with the City and are at Step E of their respective salary range shall receive a one percent (1%) longevity pay increase retroactive to 01 August 2014 and an additional one percent (1%) longevity pay increase effective 01 July 2015.

Because the longevity pay provision is particular to a tenured employee and is not aligned with job classification(s), the longevity pay increase is not considered part of one's base salary classification pay but will be added to a qualifying employee's bi-weekly paycheck. This longevity pay provision sunsets on 01 July 2016 unless mutually approved for continuance by both parties.

ARTICLE 13: TERM OF AGREEMENT

Except as indicated herein, this Agreement shall be effective commencing 01 July 2014 and continue up to and through 30 June 2016.

IN WITNESS THEREOF, this Agreement is entered into by the following authorized representatives this 30th day of September 2014, pursuant to the provisions of CA Government Code Section 3500, et. seq. for presentation to and adoption by the City Council of Clayton, California.

CLAYTON UNDESIGNATED MISCELLANEOUS CITY EMPLOYEES (UNIT)

By:______________________________
Charlie Mullen, Unit Representative

By:______________________________
Laura Hoffmeister, Unit Representative

CITY OF CLAYTON, CA (CITY)

By:______________________________
Gary A. Napper, City Manager

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TERMS AND CONDITIONS OF EMPLOYMENT FOR THE UNDESIGNATED MISCELLANEOUS CITY EMPLOYEES UNIT EFFECTIVE THE FISCAL YEARS OF 2014~~3~~-2015~~4~~ AND 2015-2016

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Police Office Coordinator

ARTICLE 3: PERSONNEL FILES

The City's secured personnel files, maintained in the City offices, are not subject to public inspection. Any employee has the right to inspect their own personnel file. An employee has the right, in accordance with law, to respond in writing to anything contained or placed in their own personnel file and any such response(s) shall become part of their personnel file.

ARTICLE 4: WORK HOURS

The work period (hours) for classifications and corresponding compensation in this Unit will be eighty (80) work hours in a bi-weekly (14~~0~~-day) work period.

Any employee in this Unit scheduled to regularly work less hours than the defined work period shall receive a corresponding pro-rated portion of the monthly compensation and employee benefits outlined in Articles 5, 6 and 8 below.

ARTICLE 5: COMPENSATION

Section 5.1 Wages

A. Effective 01 July 2014~~3~~, the monthly base salary ranges for the following job classifications shall be increased by 1.5% and become:

Classification	A	B	C	D	E
Accounting Technician	4063~~03~~	4266~~03~~	4479~~13~~	4704~~634~~	4938~~865~~
Administrative Assistant/ Code Enforcement Officer	3383~~33~~	3553~~00~~	3730~~675~~	3917~~859~~	4112~~051~~
Assistant to the City Mgr.	5575~~493~~	5854~~767~~	6146~~055~~	6453~~358~~	6776~~676~~
Chief of Police	8061~~7942~~	8464~~339~~	8887~~756~~	9332~~194~~	9798~~653~~
City Clerk/HR Manager	5185~~08~~	5443~~363~~	5716~~632~~	6002~~5913~~	6302~~209~~
Community Development Director	7495~~384~~	7869~~753~~	8263~~141~~	8676~~548~~	9110~~8975~~
Community Services Officer	3383~~33~~	3553~~00~~	3730~~675~~	3917~~859~~	4112~~051~~
Finance Manager	6614~~516~~	6945~~842~~	7292~~184~~	7656~~543~~	8039~~7920~~
Maintenance Supervisor	4942~~869~~	5189~~12~~	5449~~368~~	5721~~636~~	6007~~5918~~

Maintenance Leader	4076~~16~~	4280~~17~~	4494~~28~~	4719~~649~~	4955~~882~~
Maintenance Worker I	3376~~26~~	3544~~492~~	3721~~666~~	3908~~850~~	4103~~042~~
Assistant Planner	5185~~08~~	5443~~363~~	5716~~632~~	6002~~5913~~	6302~~209~~
Police Office Coordinator	3821~~765~~	4013~~3954~~	4213~~151~~	4424~~359~~	4646~~577~~

B. Effective 01 July 2015, the monthly base salary ranges for the following job classifications shall be increased by 1.5% and become:

Classification	A	B	C	D	E
Accounting Technician	4124	4330	4546	4774	5012
Administrative Assistant/ Code Enforcement Officer	3434	3606	3786	3976	4173
Assistant to the City Mgr.	5659	5941	6238	6550	6878
Chief of Police	8182	8591	9021	9472	9945
City Clerk/HR Manager	5262	5525	5802	6092	6397
Community Development Director	7607	7987	8387	8806	9246
Community Services Officer	3434	3605	3786	3976	4173
Finance Manager	6713	7049	7401	7771	8159
Maintenance Supervisor	5016	5267	5530	5806	6097
Maintenance Leader	4137	4344	4562	4790	5030
Maintenance Worker I	3427	3598	3777	3966	4164
Assistant Planner	5262	5525	5802	6092	6397
Police Office Coordinator	3879	4074	4276	4491	4715

During and expiring at the term of this Agreement, salary advancement for merit or exemplary service of an eligible employee, as recommended by the respective Department Head and approved by the City Manager, is hereby restored effective 01 July 2014. Upon an eligible employee's next salary anniversary date after 01 July 2014, an eligible and approved employee may receive a one (1) step merit increase in base pay, and a one (1) merit step increase in base pay on one's subsequent salary anniversary date thereafter, provided the recommendation and the approval as noted above is obtained and a merit salary step remains available within the employee's classification pay range. In no event shall a merit step increase be earned or granted beyond Step E or the expiration date of this Agreement.

~~suspended and no individual shall receive a salary step increase during this Term, with exception that an existing employee hired before 01 July 2009 and deemed eligible for a one (1) step merit salary increase may receive said merit increase effective 01 July 2013, provided the action is approved by that employee's supervisor and the City Manager.~~

~~Employees eligible for merit step advancement yet prohibited from receipt thereof do not have their salary review (anniversary) date altered or deferred by this freeze on merit increases. At such time as the City restores merit increase advancements by subsequent agreement, any employee deemed eligible for a merit step increase during this Term shall automatically advance to the next merit salary step that would have been earned had the merit increase freeze not been in effect, effective the day the suspension is lifted; provided, however, no retroactive merit pay is due the eligible employee for hours worked in the missed merit salary range.~~

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~~Employees of this Unit shall not receive a cost-of-living adjustment (COLA) during this Term.~~

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ARTICLE 6: MEDICAL, DENTAL, AND LIFE/ACCIDENTAL DEATH/DISMEMBERMENT INSURANCE

Section 6:1 City Contribution to Medical and Dental Insurance Premiums

The maximum monthly City premium contribution for medical and/or dental insurance coverage for regular, full-time members of this Unit shall be paid by the City in accord with the following employee subscription enrollment schedule.~~s:~~

~~A. Effective 01 July 2013, the current monthly City-paid premium contribution caps for combined medical, dental, life/accidental death/dismemberment insurance through the City shall be increased by the following amounts, as subscribed to and enrolled in by employees of this Group:~~

~~1. The City's monthly premium contribution cap shall be increased by the actual dental premium rate dollar increase up to and including a seven percent (7%) rate increase for each enrolled subscription category (i.e., Employee Only;~~

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~~Employee + One Dependent; or Employee + Family coverage) with the Delta Dental Health Care Employees/Employers Dental Trust. Actual dental premium rate dollar increases above 7% shall be paid solely by the enrolled employee; and~~

~~2. The City's monthly premium contribution cap shall be increased by the actual medical premium rate dollar increase up to and including a nine and one-half percent (9.5%) rate increase for each enrolled Health Plan and subscription category (i.e., Employee Only; Employee + One Dependent; or Employee + Family coverage) with the CalPERS Public Employees' Medical and Hospital Care Act (PEMHCA). Actual medical premium rate dollar increases above 9.5% shall be paid solely by the enrolled employee.~~

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~~Said City premium cap contribution shall not and does not increase the following non-enrollment plan categories:~~

~~No Enrollment/Unused Benefit (enrollments after 30 June 2010): $ -0-~~

~~No Enrollment/Unused Benefit (existing eligible employees): $ 250.00/mo.~~

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~~(Provided proof of similar medical and dental coverage is available to the employee, is placed and maintained via another qualified third party insurance provider. Ref. Section 6.2).~~

A~~B. Effective 01 January 2014 and terminating on 01 July 2014, t~~The City's maximum premium contribution to employee-enrolled medical and dental insurance coverage shall be as follows:

1.~~1.~~ Medical Insurance (thru CalPERS' Public Employees' Medical and Hospital Care Act). For the six (6) month time period from 01 July 2014 through 31 December 2014, the City's maximum premium monthly contribution will be in accordance with the premium schedule listed below for an employee's existing medical plan enrollment.

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Commencing 01 January 2015, the City's maximum monthly co-pay contribution specified below is benchmarked to the least costly medical insurance premium offered between Blue Shield Net Value HMO or Kaiser Permanente plans. Should a member of this Unit elect to enroll in a CalPERS medical insurance plan with a corresponding monthly premium higher than the least costly premium between the two medical plans listed above, the employee is responsible for 100% of the added premium cost above the least costly plan's premium for each of the enrollment options noted below:

~~:~~

1. Employee Only enrollment: City pays 100% of the selected Plan premium.
2. Employee + 1 Dependent enrollment: City pays 100% of the selected Plan premium for the Employee Only and 50% of additional premium expense for the 1 Dependent.

3. Employee + Family enrollment: City pays 100% of the selected Plan premium for the Employee Only and 59.375% of additional premium expense for the Family.

2. Dental Insurance (thru the Municipal Pooling Authority's Delta Dental Health Care Employees/Employers Dental Trust):

1. Employee Only enrollment: City pays 100% of the Plan premium.
2. Employee + 1 Dependent: City pays 100% of the Plan premium for the Employee Only and 46.8% of additional premium expense for the 1 Dependent.
3. Employee + Family: City pays 100% of the Plan premium for the Employee Only and 60.94% of additional premium expense for the Family.

Proration of the above City premium contributions for permanent part-time eligible employees shall be calculated and applied based on said employee's percentage of regularly-scheduled work hours as to a regularly-scheduled forty (40) hours work week (e.g. an employee scheduled to work 24 hours per work receives sixty (60) percent of the City's premium contribution).

B~~C~~. The above City premium cap contributions shall not and do not increase the following non-enrollment plan categories:

No Enrollment/Unused Benefit (enrollments after 30 June 2010): $ -0-

No Enrollment/Unused Benefit (enrollments before 30 June 2010): $ 250.00/mo.

(Provided proof is submitted to the City that~~of~~ similar medical and dental coverage is available to the employee, is placed and maintained via another qualified third party insurance provider. Ref. Section 6.2).

Section 6.2 Unused Medical Benefit Account

Employees may elect to decline City-provided medical and/or dental coverage only in cases when the employee is covered under an alternate third party insurance plan. Proof of insurance is required. For employees authorized to decline City-provided medical and/or dental coverage, the City will contribute a monthly amount, up to the maximum monthly premium cap outlined in Section 6.1 above under "No Enrollment", to a City-approved deferred compensation plan or to the employee's Unused Medical Benefit account, at the employee's designated option. Those members of this Unit whose expense for their enrolled subscription in City-secured medical and dental insurance is less than the maximum amounts listed in Section 6.1 may only elect to have said monthly difference placed in their City-approved deferred compensation plan or deposited into the employee's Unused Medical Benefit account, at the employee's designated option.

In order for one to qualify for City contribution toward medical and/or dental insurance coverage, an employee in a classification of this Unit must be permanently scheduled to work a minimum of twenty (20) hours per week. Such "part-time" regular employee is then eligible to enroll in the City-provided medical and/or dental insurance coverage but the City's maximum contribution for such a part-time regular employee is pro-rated in ratio to the percentage of the number of permanent hours worked per week. For example, if a part-time employee regularly works 32 hours per week (which represents a 0.8 full-time employee), then the individual is eligible to receive a maximum City contribution toward their subscribed medical and/or dental enrollment equal to 80% of the maximum amount specified in Section 6.1.

Section 6.3 Life/Accidental Death/Dismemberment Insurance

The City will contract and pay the full premium to enroll each permanent full-time and part-time employee in a $50,000 face amount life insurance policy and a $50,000 Accidental Death and Dismemberment Insurance coverage.

Section 6.4 Short Term and Long Term Disability Insurance

The City shall provide and pay for short term (STD) and long term disability (LTD) insurance(s) in behalf of each employee of this Unit for the purpose of providing contracted levels of continued compensation in the event of an off-duty illness or injury.

ARTICLE 7: EMPLOYEE RETIREMENT PENSION SYSTEM

The City is a member of the California Public Employees' Retirement System, hereinafter referred to as "CalPERS". All regular full-time and regular part-time employees of this Unit are required by contract and corresponding law to be participating members of this retirement system.

Section 7.1 Tier I "Classic" Existing City Employees as of 30 June 2010

By contract, the City and its eligible employees of this Unit are members of the 2% at age 55 Miscellaneous Employees CalPERS retirement system. The City shall pay the entire required Employer CalPERS rate and share for this Miscellaneous Retirement System and all increases in rate thereof during the term of this Agreement, including any costs of administration. In addition, the City shall pay 100% of the current 7% Employee CalPERS fixed rate and share for members of this Miscellaneous Retirement System.

Section 7.2 Tier II Retirement System for "Classic" Employees

By contract, all regular full-time and regular part-time employees of this Unit hired on or after 01 July 2010 are required to be participating members in the California Public Employees' Retirement System ("CalPERS"). In addition, any new City employees hired after that date but deemed "Classic" CalPERS members due to enrollment and active participation in a CalPERS pension system through another CalPERS public agency, as defined by state law, shall become members of the City's Tier II CalPERS plan. The City shall contract with CalPERS and enroll eligible employees in this hiring category in the CalPERS "2% at age 60" Miscellaneous Retirement System.

The City shall pay the entire required Employer CalPERS rate for this "2% at age 60" retirement system and all increases in the rate thereof, and the employee shall pay 100% of the entire required Employee CalPERS fixed rate. For purpose of calculating eligible retirement pension, the 2% at 60 Plan shall be the average of the highest 3 years of eligible compensation paid to the employee.

Section 7.3 Tier III Retirement System for New Members of this Unit

By contract, all regular full-time and regular part-time employees of this Unit hired on or after 01 January 2013 and not a previous member of a CalPERS plan without a 6-month interruption of service shall become members of the City's Tier III CalPERS plan. The City shall contract with CalPERS and enroll eligible employees in this hiring category in the CalPERS "2% at age 62" Miscellaneous Retirement System.

The City and employee enrolled in this CalPERS plan shall each pay fifty percent (50%) of the "normal cost rate", as defined in the Public Employees' Pension Reform Act (PEPRA), and as calculated by CalPERS. The "normal cost rate" is subject to annual change as ordered by CalPERS.

ARTICLE 8: HOLIDAYS AND LEAVES

Section 8.1 Eligibility for Paid Leaves

~~Temporary and seasonal employees are not eligible for any paid leave time.~~

Permanent employees of this Unit regularly scheduled to work less than an average eighty (80) hour bi-weekly pay period will earn each paid leaves at a rate proportionate to their number of permanently scheduled work hours.

Section 8.2 Holiday Leave

Permanent regular employees of this Unit shall receive the following ten~~eleven~~ (10~~1~~) 8-hour days of paid holiday leave each calendar year:

New Year's Day	Martin Luther King, Jr. Day
~~Lincoln's Birthday~~	Presidents' Day
Memorial Day	Independence Day
Labor Day	Veterans' Day
Thanksgiving Day	Friday after Thanksgiving Day
Christmas Day	

Holidays falling on non-work days will be observed on the nearest regular work day.

Section 8.3 Personal or "Floating" Leave

In addition to the holidays listed under Section 8.2, all members of this Unit shall receive twenty-four (24) hours of paid Personal Leave in each fiscal year. Said leave hours will be credited on July 1st of each year and shall be taken at the employee's discretion, with the advance consent of their supervisor. If one's Personal Leave hours are not used~~taken~~ or exhausted by the end of the fiscal year (June 30th), the remaining hours are forfeited. Permanent regular employees working less than a 40-hour work week shall receive paid Personal Leave hours on a pro-rata basis based on their number of regularly scheduled work hours per week. Unused Personal Leave is not compensable on separation of City employment.

Section 8.4 Vacation Leave

Permanent regular employees of this Unit shall be entitled to earn annual paid vacation leave with pay.

A. Vacation leave credit for a 40-hour work week employee shall be accrued on the following basis:

1.	Month 1 through Month 24:	6.67 hours per month
2.	Month 25 through Month 48:	8.00 hours per month
3.	Month 49 through Month 96:	10.00 hours per month
4.	Month 97 through Month 180:	13.33 hours per month
5.	Month 181 and thereafter:	16.67 hours per month

B. Vacation leave credit for permanent regular employees working less than a 40-hour week shall be credited as in Section "A" above on a pro-rata basis based upon the number of hours regularly scheduled to work per week.

C. Vacation leave may be used as earned, subject to the advance approval of one's department manager, based on staffing requirements.

D. Vacation leave may only be used in increments of one-quarter (0.25) hour or more.

E. Vacation leave may be accrued to a maximum number of hours equivalent to eighteen (18) times one's current monthly accrual rate.

F. Upon leaving City employment, the employee will be paid for all accrued, unused vacation leave up to one's maximum annual accrual allowed in sub-section "E".

G. An employee may elect once per fiscal year to convert accrued vacation leave hours into accrued sick leave hours before the end of the fiscal year, at a conversion rate of one (1) hour of accrued vacation into one-half (0.5) hour of sick leave, provided the employee's accrued vacation leave balance exceeds their annual vacation leave accrual specified in sub-section A above at the time of conversion.

Section 8.5 Sick Leave

A. Paid sick leave is earned at the rate of eight (8) hours for each month worked. Permanent regular employees working less than a 40-hour work week shall earn paid sick leave hours on a pro-rata basis based on their number of hours regularly scheduled to work per week.

B. Maximum accrual of sick leave is limited to nine-hundred sixty (960) hours of unused leave.

C. Unused sick leave shall not be paid off in cash or in any other form of compensation upon separation from City employment.

D. Up to twenty-four (24) hours of accrued sick leave may be used by an employee to attend a funeral of close family members, with the approval of the City Manager.

E. Employees may use accrued sick leave for non work-related disabilities or illnesses up to the effective or commencement date of short-term or long-term disability benefits.

F. A physician's report may be required by one's department manager for extended periods of sick leave usage by an employee in this Unit, or if in the determination of the City Manager, the employee exhibits greater than average, or unusual patterns or circumstances in their use of sick leave.

G. Employees unable to return to work within six (6) months of the date of disability (whether work or non work-related) may be separated from City employment, unless an extension is approved by the City Manager, and except as otherwise restricted by state or federal law.

H. Employees who have accumulated two-hundred forty (240) hours or more of accrued sick leave may be credited, at the employee's written request, with two (2) additional vacation leave hours for each consecutive three (3) month period in which no paid sick leave was used by the employee.

Section 8.6 Management Leave

In lieu of earning overtime or compensatory time off, department managers (as designated by the City Manager) will be granted up to a maximum of one-hundred twenty (120) hours of paid management leave each fiscal year. The amount available to each management employee may vary, at the discretion of the City Manager. Management leave hours will be credited to the designated manager's leave time account at the commencement of each fiscal year in the total number of hours granted by the City Manager to that employee. Management leave must be used within the fiscal year in which it is earned, and unused leave will not be paid in cash or any other form of compensation upon separation from City employment.

Section 8.7 Work Furlough Days

~~Effective 01 July 2013,~~ The two (2) work furlough days carried forward into FY 2014-15, for which employee pay has been reduced since 01 July 2014 through the current payperiod and for which employees in this Unit did not take unpaid time off from work, are hereby eliminated and the corresponding employee compensation is restored retroactive to 01 July 2014.~~, defined as City Hall operations closed for the entire regular work day and employees of this Group are off work and unpaid for each day, shall occur during the term of this Agreement. The actual two (2) unpaid Work Furlough Days will be determined by and between this Group and the City Manager in advance regarding which work days are subject to furlough. In the event of unresolved disagreement over the designated furlough days, the City Manager's decision shall be final with no right of appeal.~~

~~The City will calculate and implement the two (2) unpaid work furlough days into bi-weekly pay deductions in the annualized regular base pay of the employees in this Group, retroactive to 01 July 2013. No "true-up" in employee compensation is due or owed by either the City or the employee should an employee of this Group leave during the term of this Agreement.~~

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ARTICLE 9: OVERTIME

Section 9.1 Regular Overtime

The City will compensate eligible regular non-management employees for each one-quarter hour (0.25) of overtime worked at the rate of one and one-half times (1.5) the employee's base hourly rate including applicable FLSA-required compensation. Overtime is defined as hours worked in excess of eighty (80) hours per pay period, or hours worked in excess of a regularly-scheduled shift. Employees working partial or reduced schedules will not be eligible for overtime until their hours worked exceed the regular work hours noted in Article 4. Authorization of the employee's supervisor must be obtained prior to the working of overtime hours, except in emergency situations. Compensation for overtime shall be in the form of cash payment, or if requested by the employee and approved by their supervisor, in the form of compensatory time off (CTO) that shall also accrue at the rate of one and one-half (1.5) times the actual overtime hours worked.

For purposes of calculating overtime and compensatory time, all paid leave shall be considered as hours worked.

Section 9.2 Compensatory Time Off

A maximum of one hundred (100) hours of compensatory time off (CTO) may be accrued by each eligible employee of this Unit, except when additional hours are approved by the City Manager for a recognized or specific operational need or situation. Whenever possible and in the discretion of one's supervisor, overtime shall be compensated with compensatory time off. Compensatory time off may be used by written request of the employee filed at least three (3) days in advance with the appropriate supervisor. Management will make every effort to comply with time off requests of the employee and shall not arbitrarily assign employees to compensatory time off. Accrued unused CTO is compensable on separation of City employment.

ARTICLE 10: BILINGUAL PAY

The City has the sole and exclusive right to determine and designate which Employees, and how many Employees, are eligible to receive bilingual pay of $75.00 per month. Designated Employees will be required to demonstrate conversational fluency in a language (e.g. Spanish) as determined by the City Manager based on community/public needs and organizational usage. The City may administer a competency test to certify fluency of the Employee in the designated language. Any such certification shall be a condition prior to Employee qualifying for monthly bilingual pay.

ARTICLE 11: AUTOMOBILE ALLOWANCE

Certain e~~E~~mployees' duties require that each have continuously available transportation for City business or work-related purposes. Each e~~E~~mployee position designated below shall provide an operable personal vehicle for use for normal business and personal use. The Employer agrees to provide each designated e~~E~~mployee with a monthly automobile allowance as specified below:

Position	Monthly Auto Allowance
Chief of Police	$370.00
Community Development Director	$345.00
Assistant to the City Manager	$345.00

Each e~~E~~mployee shall be responsible for all operation expenses, maintenance expenses, repair expenses, replacement cost and insurance for the personal automobile used for this purpose. Employee shall at all times maintain adequate insurance for the automobile and shall inform his/her insurer that the automobile is used for City business and personal purposes. Each e~~E~~mployee shall maintain and provide to the City a valid Certificate of Insurance demonstrating comprehensive automobile liability coverage for the vehicle used and naming the City of Clayton as an additional insured on the applicable insurance policy.

ARTICLE 12: LONGEVITY PAY

Currently-employed members of this Unit who on or before 01 August 2014 have fifteen (15) years or more of consecutive years of employment with the City and are at Step E of their respective salary range shall receive a one percent (1%) longevity pay increase retroactive to 01 August 2014 and an additional one percent (1%) longevity pay increase effective 01 July 2015.

Because the longevity pay provision is particular to a tenured employee and is not aligned with job classification(s), the longevity pay increase is not considered part of one's base salary classification pay but will be added to a qualifying employee's bi-weekly paycheck. This longevity pay provision sunsets on 01 July 2016 unless mutually approved for continuance by both parties.

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ARTICLE 13~~2~~: TERM OF AGREEMENT

Except as indicated herein, this Agreement shall be effective commencing 01 July 2014~~3~~ and continue up to and through 30 June 2016~~4~~.

IN WITNESS THEREOF, this Agreement is entered into by the following authorized representatives this 18~~29~~th day of Septem~~Octo~~ber 2014~~3~~, pursuant to the provisions of CA Government Code Section 3500, et. seq. for presentation to and adoption by the City Council of Clayton, California.

CLAYTON UNDESIGNATED MISCELLANEOUS CITY EMPLOYEES (UNIT)

By:____

Charlie Mullen~~Laci Kole~~, Unit Representative

By:____

Laura Hoffmeister, Unit Representative

CITY OF CLAYTON, CA (CITY)

By:____________________________________
Gary A. Napper, City Manager

#

CITY OF CLAYTON
Founded 1857 Incorporated 1964

Agenda Date: 10-7-2014

Agenda Item: 3d

Approved:

Gary A. Napper
City Manager

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: Janet Brown, City Clerk

DATE: October 7, 2014

SUBJECT: Council Appointment of Ronald Tervelt to the Contra Costa Advisory Council on Aging as Clayton's representative for the term commencing immediately through September 30, 2015.

RECOMMENDATION

Confirm the nomination by the Mayor to appoint Ronald Tervelt to the serve as the City of Clayton representative on the Contra Costa Advisory Council on Aging.

BACKGROUND

Staff advertised the open position on the City website and on City posting boards beginning in May 2010 upon the resignation of Lori Turner. The Contra Costa County Advisory Council on Aging has had a vacant position since May 2010. In January 2014, an application for Contra Costa County Advisory Council on Aging was received by the Contra Costa County Clerk of the Board. In July 2014, Mr. Tervelt was appointed to an "at large" position with the Contra Costa County Advisory Council on Aging. On October 2, 2014 a telephone call was received by the Clayton City Clerk from Mr. Tervelt indicating an interest in exclusively representing the City of Clayton for the Contra Costa County Advisory Council on Aging. Staff contacted Jaime Ray to request guidance in the procedure in appointing Ronald Tervelt to exclusively represent the City of Clayton on the Contra Costa County Advisory Council on Aging.

FISCAL IMPACT

None.

CONCLUSION

Appoint Ronald Tervelt to serve on the Contra Costa Advisory Council on Aging as Clayton's representative for the term commencing immediately through September 30, 2015.

Attachments:

Mr. Tervelt's Application (3 pages)
Email exchange between the City Clerk and Jaime Ray (1 page)

Print Form

RECEIVED
JAN 2 8 2014
CLERK BOARD OF SUPERVISORS
CONTRA COSTA CO.

Contra Costa County

For Office Use Only
Date Received:

For Reviewers Use Only:
Accepted Rejected

BOARDS, COMMITTEES, AND COMMISSIONS APPLICATION

MAIL OR DELIVER TO:
Contra Costa County
CLERK OF THE BOARD
651 Pine Street, Rm. 106
Martinez, California 94553-1292
PLEASE TYPE OR PRINT IN INK
(Each Position Requires a Separate Application)

BOARD, COMMITTEE OR COMMISSION NAME AND SEAT TITLE YOU ARE APPLYING FOR:

CONTRA COSTA COUNTY ADVISORY COUNCIL ON AGING

PRINT EXACT NAME OF BOARD, COMMITTEE, OR COMMISSION — PRINT EXACT SEAT NAME (if applicable)

1. Name: TERVELT (Last Name) RONALD (First Name) L (Middle Name)

2. Address: 5617 (No.) FRANK PLACE (Street) (Apt.) CLAYTON CA (State) 94517 (Zip Code)

3. Phones: 925/672-8755 (Home No.) (Work No.) (Cell No.)

4. Email Address: TERVELTFAM@SBCGLOBAL.NET

5. EDUCATION: Check appropriate box if you possess one of the following:

High School Diploma ☒ G.E.D. Certificate ☐ California High School Proficiency Certificate ☐

Give Highest Grade or Educational Level Achieved COLLEGE GRADUATE

Names of colleges / universities attended	Course of Study / Major	Degree Awarded	Units Completed: Semester	Units Completed: Quarter	Degree Type	Date Degree Awarded
A) PURDUE UNIVERSITY	ARCH ENG	Yes ☒ No ☐			AAS	1963
B) PURDUE UNIVERSITY	MATHEMATICS	Yes ☒ No ☐			BS	1967
C)		Yes ☐ No ☐				
D) Other schools / training completed:	Course Studied	Hours Completed		Certificate Awarded: Yes ☐ No ☐		

THIS FORM IS A PUBLIC DOCUMENT

6. **PLEASE FILL OUT THE FOLLOWING SECTION COMPLETELY. List experience that relates to the qualifications needed to serve on the local appointive body. Begin with your most recent experience. A resume or other supporting documentation may be attached but it may not be used as a substitute for completing this section.**

Dates	Title / Employer's Name and Address	Duties Performed
A) Dates (Month, Day, Year) From 7/1/08 To 6/30/09 Total: Yrs. 1 Mos. Hrs. per week 20. Volunteer ☐	**Title** GRAND JURY MEMBER **Employer's Name and Address** CONTRA COSTA COUNTY 725 COURT ST MARTINEZ, CA	EVALUATE CITIES AND COUNTY SERVICES FOR EFFICIENCES AND EFFECTIVENESS
B) Dates (Month, Day, Year) From 7/1/09 To 6/30/10 Total: Yrs. 1 Mos. Hrs. per week 20. Volunteer ☐	**Title** GRAND JURY FOREMAN **Employer's Name and Address** CONTRA COSTA COUNTY 725 COURT ST MARTINEZ, CA	LEAD 19 MEMBERS IN THEIR DUTIES OF FOREPERSONS
C) Dates (Month, Day, Year) From 3/2001 To 6/2008 Total: Yrs. 7 Mos. 4 Hrs. per week 20. Volunteer ☐	**Title** TRUSTEE **Employer's Name and Address** CONTRA COSTA COUNTY MOSQUITO & VECTOR CONTROL DISTRICT 155 MASON CIRCLE CONCORD, CA	PRESIDENT VICE-PRESIDENT BUDGET CHAIRPERSON POLICY DEVELOPMENT GOAL OBJECTIVES
D) Dates (Month, Day, Year) From To Total: Yrs. Mos. Hrs. per week____. Volunteer ☐	**Title** **Employer's Name and Address**	Duties Performed

7. How did you learn about this vacancy?

☐CCC Homepage ☐Walk-In ☐Newspaper Advertisement ☐District Supervisor ☒Other FRIEND

8. Do you have a Familial or Financial Relationship with a member of the Board of Supervisors? (Please see Board Resolution no. 2011/55, attached): No ☒ Yes ☐

If Yes, please identify the nature of the relationship: ______________________

I CERTIFY that the statements made by me in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge and understand that all information in this application is publically accessible. I understand and agree that misstatements / omissions of material fact may cause forfeiture of my rights to serve on a Board, Committee, or Commission in Contra Costa County.

Sign Name: [signature] Date: 1-22-2014

Important Information

1. This application is a public document and is subject to the California Public Records Act (CA Gov. Code §6250-6270).
2. Send the completed paper application to the Office of the Clerk of the Board at: **651 Pine Street, Room 106, Martinez, CA 94553.**
3. A résumé or other relevant information may be submitted with this application.
4. All members are required to take the following training: 1) The Brown Act, 2) The Better Government Ordinance, and 3) Ethics Training.
5. Members of boards, commissions, and committees may be required to: 1) file a Statement of Economic Interest Form also known as a Form 700, and 2) complete the State Ethics Training Course as required by AB 1234.
6. Advisory body meetings may be held in various locations and some locations may not be accessible by public transportation.
7. Meeting dates and times are subject to change and may occur up to two days per month.
8. Some boards, committees, or commissions may assign members to subcommittees or work groups which may require an additional commitment of time.

Janet Brown

From:	Jaime Ray <JRay@ehsd.cccounty.us>
Sent:	Thursday, October 02, 2014 10:55 AM
To:	cityclerk@ci.clayton.ca.us
Cc:	Ron Tervelt; Doreen Gaedtke; richardnahm@yahoo.com
Subject:	RE: Clayton Rep
Attachments:	BOS Application - ACOA R. Tervelt.pdf
Importance:	High

Janet Brown:

Thanks for your help to get Mr. Tervelt appointed as the City of Clayton Representative on the Contra Costa County Advisory Council on Aging (ACOA). Since Ron is already a member of the ACOA and the ACOA Membership Committee has reached a consensus in support of the proposed change in his membership status, this should be a lot easier for him and the City, should the Clayton City Council accept Ron as its representative. For me to submit the required paperwork, I will need an official selection letter (on Clayton letterhead) stating that Mr. Ron Tervelt has been chosen to represent the City on the ACOA. Ron has already completed all the required training and the new member orientation. For your convenience, a copy of his application is attached.

Regards,
Jaime

[Attachment]

Jaime Ray, Secretary (KAX2)
Aging and Adult Services Bureau
400 Ellinwood Way
Pleasant Hill, CA 94523
Office: (925) 602-4172
Fax: (925) 602-4178

From: Janet Brown [mailto:cityclerk@ci.clayton.ca.us]
Sent: Thursday, October 02, 2014 9:43 AM
To: Jaime Ray
Subject: Clayton Rep

Good morning,

I received a message this morning from Ron who was recently appointed the Contra Costa Advisory Committee on Aging. His message indicated he was placed on the "at-large" committee, when he really wants to represent the City of Clayton. This is my first time doing this. How do I proceed? Any guidance would be much appreciated ☺

Thank you!

Janet Brown
City Clerk/HR Manager

declaring

October 2014

As

Domestic Violence Awareness Month

WHEREAS, violence against women and children continues to become more prevalent as a social problem due to the imbalance of power in gender and age; and

WHEREAS, the problems of domestic violence are not confined to any group or groups of people but cross all economic, racial, and societal barriers and are supported by societal indifference; and

WHEREAS, over 30 years ago, STAND! For Families Free of Domestic Violence realized that domestic violence was an issue in Contra Costa County and vowed to reduce violent occurrences; and

WHEREAS, STAND! For Families Free of Domestic Violence has been striving to educate and bring awareness to this problem by working with community and faith based organizations, and schools, serving 10,000 clients annually; and

WHEREAS, STAND! For Families Free of Domestic Violence is a multi-service agency providing: a 24 hour crisis line, emergency and transitional shelter, legal advocacy, children and teen programs, counseling, support groups, employment training, batterer's treatment program, and educational prevention programs; and

WHEREAS, STAND! For Families Free of Domestic Violence is the sole provider of comprehensive domestic violence service in Contra Costa County and is taking action to end violence in its communities.

NOW THEREFORE, I, Hank Stratford, Mayor, on behalf of the Clayton City Council, do hereby proclaim October 2014 as "Domestic Violence Awareness Month" and urge my fellow citizens to educate themselves as to preventative and awareness measures to reduce, report and eliminate domestic violence in our community.

Agenda Date: 10-7-2014

Agenda Item: 4a

ELENA CARCAMO

for

"Doing the Right Thing"

at

Mt. Diablo Elementary School

by exemplifying great "Responsibility"

August and September 2014

Agenda Date: 10-7-2014

Agenda Item: 4b

JOSEPH SHELTON

for

"Doing the Right Thing"

at

Mt. Diablo Elementary School

by exemplifying great "Responsibility"

August and September 2014

Agenda Date: 10-7-2014
Agenda Item: 8a

CITY OF CLAYTON
Founded 1857 .. Incorporated 1964

STAFF REPORT

Approved:

Gary A. Napper
City Manager

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: RICK ANGRISANI, CITY ENGINEER

DATE: OCTOBER 7, 2014

SUBJECT: A RESOLUTION ADOPTING THE SEWER SYSTEM MANAGEMENT PLAN ("SSMP") PREPARED BY HUMPHREY CONSULTING ON BEHALF OF THE CITY.

RECOMMENDATION

Adopt the Resolution.

BACKGROUND

Prior to the City of Clayton's incorporation in 1964, sanitary sewer collection and treatment was provided by the City of Concord ("Concord") for the properties in the unincorporated areas east of the Concord city limits. After incorporation, the Clayton City Council approved entering into an agreement with Concord for the treatment of sewage and maintenance of the sanitary sewer collection system. A few years later, Concord contracted with the Central Contra Costa Sanitary District ("Central San") for the treatment of all sewage flows from their system (including the flows from the City of Clayton).

The agreement with Concord has been updated a couple of times, but the City has retained its ownership rights to the sewerage collection facilities and to any facilities that would be constructed within the City and accepted in the future. On May 2, 2006, the State Water Resources Control Board ("SWRCB") adopted Water Quality Order No. 2006-0003 which established Statewide General Waste Discharge Requirements ("WDR") for all publicly owned or operated sanitary sewer systems within the State of California. The WDR requires all federal, state, municipalities, counties, districts and other public entities that own or operate sanitary sewer systems greater than one mile in length that collect and/or convey untreated or partially treated wastewater to a publicly owned treatment facility in California to report Sanitary Sewer Overflows ("SSOs") to SWRCB and to develop and implement a system-specific Sewer System Management Plan ("SSMP").

Based upon the City's long time agreement with Concord, Concord reports SSOs and prepares the required SSMP for the facilities owned by Concord and applicable, in part, to Clayton-owned facilities operated by Concord. However, it has been determined that the regulations now require the City of Clayton to re-evaluate the operation and maintenance of the sanitary sewer pipelines that the City owns within its jurisdiction. The State regulations also require that both owners and operators be directly responsible for the implementation and operational integrity of their systems by way of implementing SSMP's and other requirements. The City will maintain its existing agreement with Concord for the ongoing maintenance of the sanitary sewer system and the reporting of SSOs, and the City of Concord remains in agreement with this arrangement. A City-issued Request for Proposals (RFP) requested assistance in the preparation of an SSMP for the facilities owned by Clayton including the evaluation, editing and inclusion of those portions of Concord's SSMP which are applicable to Clayton-owned facilities.

A contract for the preparation of an SSMP was awarded to Humphrey Consulting ("Humphrey") at the Council's April 1st meeting. Humphrey has prepared the attached SSMP and it has been reviewed by Staff and deemed complete. There is actually little effect on current operations and procedures. Therefore Staff is recommending the Council approve a resolution adopting the plan and making it effective immediately.

While the plan satisfies the State Water Resource Board's requirements, there are some issues still needing to be resolved between Clayton and the City of Concord. The primary issue relates to the funding of capital projects within Clayton. Since expenditures for capital improvements for many years were limited primarily to major trunk line expansion and upgrading work needed to service both Concord and Clayton, we had little choice but to go along. We are now discussing and seek sharing a portion of the annual fees dedicated for capital improvement project based upon a pro rata share of the annual sewer fees paid by Clayton residents.

Funding

All city property owners with structures connected to the sanitary sewer system pay annual assessments to the City of Concord via one's real property tax bill. These assessments pay for the maintenance of the sewer lines and the treatment of the sanitary flows by the Central Sanitary District. In addition, a portion of the assessments are dedicated to capital projects (new and maintenance work) as well as satisfying the regulatory requirements imposed by various agencies responsible for overseeing the operations of such collection and treatment systems.

Due to the relative newness of the City's sanitary sewer system, very little money has needed to be spent by Concord within the City of Clayton outside of regular maintenance. However, since the requirement for an SSMP has been imposed by a State Agency, staff considered it was appropriate that Concord fund the preparation costs out of the pooled sewer annual assessment revenues derived from Clayton properties. After some discussion, the City of Concord did agree to fund the work with a not-to-exceed budget of $45,375. It appears our final expenditures will be well below the budgeted amount.

CONCLUSION

Staff recommends the City Council approve the attached Resolution adopting the Sewer System Management Plan for the City of Clayton.

Attachments: Resolution
Sewer System Management Plan

RESOLUTION NO. - 2014

A RESOLUTION ADOPTING THE SEWER SYSTEM MANAGEMENT PLAN FOR THE CITY OF CLAYTON.

THE CITY COUNCIL
City of Clayton, California

WHEREAS, the City owns and operates over forty one (41) miles of public sanitary sewer pipelines; and

WHEREAS, since its incorporation in 1964 the City has contracted with the City of Concord for the maintenance and the satisfaction of all regulations governing the operation of such pipelines; and

WHEREAS, funding for the operations and maintenance of the sanitary sewer system is provided through annual real property assessments set by the City of Concord upon all real properties connected (both in the cities of Clayton and Concord) to the public sewer system; and

WHEREAS, the State Water Resources Control Board recently required that each public entity owning and operating sanitary sewer pipelines in excess of one mile must prepare a system-specific Sanitary Sewer Management Plan (SSMP) which evaluates the present and future capacity issues, assessments for operations and capital improvements, and procedures for maintaining the system and reporting of problems, such as sanitary sewer overflows; and

WHEREAS, the City on April 1, 2014, using sewer funds provided by the City of Concord, approved at a public meeting a contract with Humphrey Consulting in the amount of $21,940.00 for the preparation of a SSMP; and

WHEREAS, the SSMP has now been prepared by Humphrey Consulting, reviewed by the City Engineer, and presented to the City Council for consideration at its October 7, 2014 public meeting; and

WHEREAS, the City Engineer has recommended the City Council formally adopt said SSMP, a copy of which is attached hereto;

NOW, THEREFORE, BE IT RESOLVED that the City Council of Clayton, California does hereby adopt the City of Clayton Sewer System Management Plan, a true copy of which is attached hereto as "Attachment 1" and incorporated herein as if fully set forth, and directs the City Engineer to file the plan with the State of California Water Resources Board.

PASSED, APPROVED and ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held on the 7th day of October, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

THE CITY COUNCIL OF CLAYTON, CA

____

Hank Stratford, Mayor

ATTEST:

____

Janet Brown, City Clerk

\# # # # #

I hereby certify that the foregoing resolution was duly and regularly passed by the City Council of the City of Clayton at a regular public meeting held on October 7, 2014.

____

Janet Brown, City Clerk

City of Clayton

Sewer System Management Plan

October 2014

CIWQS WDID: 2SSO10XXX

City Council Adoption: October 7, 2014

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APPENDICES

List of Abbreviations and Acronyms

ADWF	Average Dry Weather Flow
AWWF	Average Wet Weather Flow
BACWA	Bay Area Clean Water Agencies
BMP	Best Management Practices
CCCSD	Central Contra Costa Sanitary District
CIP	Capital Improvement Program
CMC	Concord Municipal Code
CWA	Clean Water Act
CWEA	California Water Environment Association
CIWQS	California Integrated Water Quality System
DS	Data Submitter for CIWQS System
DWQ	State Water Resources Control Board, Division of Water Quality
FOG	Fats, Oils, and Grease
FY	Fiscal Year
GIS	Geographic Information System
GPM	Gallons per Minute
GPS	Gallons per Second
GRD	Grease Removal Devices
GWDR	General Waste Discharge Requirements
HDPE	High Density Polyethylene
HP	Horsepower
JPA	Joint Powers Agreement
LRO	Legally Responsible Office for CIWQS System reporting
MGD	Million Gallons Per Day
MRP	Monitoring and Reporting Program
NOI	Notice of Intent
NOV	Notice of Violation
NPDES	National Pollution Discharge and Elimination System
NWS	Naval Weapons Station
OES	Office of Emergency Services
OSHA	Occupational Safety Hazard Association

PSL	Private Sewer Lateral
PLSD	Private Sewer Lateral Discharge
PVC	Polyvinyl Chloride
RWB	San Francisco Regional Water Quality Control Board
SSMP	Sewer System Management Plan
SSO	Sanitary Sewer Overflow
SSS WDR	See GWDR above
SWB	State of California Water Resources Control Board
USA	Underground Service Alert
WDID	Waste Discharge Identification Number
WDR	See GWDR above
VCP	Vitrified Clay Pipes

Introduction

In 2004, the San Francisco Bay Regional Water Quality Control Board (Regional Water Board) indicated its intent to implement new regulations to uniformly monitor sanitary sewer overflows (SSOs). Also envisioned was some type of collection system management plan, which all agencies would be required to develop.

The Bay Area Clean Water Agencies (BACWA), with a broad base of collection system management experience, worked collaboratively with the Regional Water Board to develop a system which would meet the needs of the regulators while retaining a commonsense approach to the practicalities of managing sewage collection systems. BACWA representatives and staff from the Regional Water Board developed an outline of the key elements of a sewer system management plan (SSMP), an electronic reporting system for SSOs, and an implementation schedule for both of those items. BACWA-sponsored training was provided for all collection system agencies in this area prior to the Regional Water Board implementing this new program beginning in January 2005.

On May 2, 2006, the State Water Resources Control Board (State Water Board) adopted new statewide SSO requirements, including a new electronic reporting system and a requirement for sanitary sewer collection system agencies to develop SSMPs. These new General Waste Discharge Requirements (GWDRs) are applicable to all federal and state agencies, municipalities, counties, districts, and other public entities that own or operate sanitary sewer systems greater than one mile in length that collect and/or convey untreated or partially treated wastewater to a publicly-owned treatment facility in the State of California. The elements of the SSMP are similar to, but not the same as, the elements previously required by the Regional Water Board.

In their letter dated September 29, 2006 to all Bay Area collection system authorities the Regional Water Board provided a summary comparison between the statewide program and this region's program. This letter directed Bay Area collection agencies to electronically report their SSOs to the State Water Board, rather than to the Regional Water Board, once the statewide system was implemented, but also directed that annual reports would still be submitted to the Regional Board. They recommended that only one SSMP be developed, with the information required by both programs incorporated in it. This letter also indicated that the Regional Water Board's deadlines for completing the various elements of the SSMP, which were more stringent than the State Water Board's deadlines, must be followed. This SSMP includes all of the information required by the State and now uses the GWDR Section D13 SSMP outline.

In early 2008, the State Water Board amended the notification and reporting requirements for any SSO that discharges to a drainage channel or surface water. SSOs of that type must be reported to the Office of Emergency Services, the Regional Water Board, and the local health department within two hours of becoming aware of the SSO, and within 24 hours the collection system agency must certify to the Regional Water Board that those two-hour notifications have taken place. In response to this State Water Board action, the Regional Water Board then implemented new procedures, including re-establishing electronic reporting to the Regional Water Board, for these type SSOs. More recently, the State Water Board has again amended their notification and reporting requirements such that the Regional Water Board is no longer one of the notification or reporting agencies. Instead, notifications are limited to the State Water Board and the local health department, with follow-up reporting required with the State Water Board.

Effective September 9, 2013, the SWRCB amended the Monitoring and Reporting Program by Executive Order WQ-2013-0058-EXE that modified the categories of SSOs, notification and recordkeeping requirements and instituted new requirements for a Technical Report and Water Quality Monitoring Plan for SSO greater than 50,000 gallons reaching waters.

Historical Regulatory Documents Associated with the GWDR:

Regional Water Board Letter of 11/15/2004
Outlining New Requirements for Reporting
Sanitary Sewer Overflows (SSOs)

Regional Water Board Letter of 07/07/2005
Outlining New Requirements for Preparing
Sewer System Management Plans (SSMPs)

State Water Board Order No. 2006-003-DWQ,
Statewide General Waste Discharge
Requirements for Sanitary Sewer Systems

Regional Water Board Letter of 09/29/2006
Discussing Impact of State Water Board
Order No. 2006-003-DWQ

State Water Board Amendment of
Monitoring and Reporting Requirements
For Order No. 2006-003-DWQ (02/20/2008)

Regional Water Board Letter of 05/01/2008
With New Reporting Requirements for SSOs
That Discharge to Drainage Channels or
Surface Waters

Regional Water Board Letter dated October 3, 2012 Discontinuation of Requirements for Annual Reports of SSOs and Annual SSMP Audits, Effectively Rescinding November 2004 and July 2005 orders

State Water Board Order No. 2013-0058-EXEC, Amending Monitoring And Reporting Program For Statewide General Waste Discharge Requirements For Sanitary Sewer Systems effective September 9, 2013

System Overview

The City of Clayton is located approximately 30 miles east of San Francisco. The City covers four (4) square miles, and with an estimated 2014 population of 11,200 residents, and is located in Contra Costa County. The City has 3833 connections and 83% of those are residences. The City of Concord provides collection system maintenance services to the City of Clayton's collection system lines through an agreement between the parties dated as of December 18, 1991. Figure 1 provides a plan showing the service areas of these three areas.

The City of Concord operates and maintains a wastewater collection and conveyance system serving both Concord and Clayton ("maintenance service area"). The estimated collection system infrastructure within the City of Clayton is provided in Table 1 below.

Table 1 Clayton Service Area Infrastructure Estimates

Asset	Number*
Pipelines, estimated miles	45
Manholes, each	1,000
Pump Stations, each	0
Siphons, each	0

* Figures are estimated, as of June 2014.

Sewage discharged in the maintenance service area previously flowed by gravity to Concord's Sewage Pump Station, which was located adjacent to Water World. The sewage from that station was then pumped under the Walnut Creek Flood Control Channel and under Galaxy Way to the Central Contra Costa Sanitary District (CCCSD) 78-inch diameter A-Line located on the east side of I-680. That station was decommissioned in 2009 and since that time all sewage from the service area flows by gravity to the CCCSD treatment plant from the old pump station site.

Concord owns one trunk main in Clayton and also maintains the smaller Clayton-owned collector lines. Approximately one half of the collection system is comprised of PVC pipes, and about one quarter of the lines are vitrified clay (VCP) with rubber gasketed joints. Current maintenance service area standards require all new sewer mains to be at least 8 inches in diameter. Tables 2 to 4 provide a breakdown of the Clayton piping system by size, pipe materials and by age, according to Concord's database. Clayton thinks most of the "unknown" diameter pipes in Clayton are 8 inches diameter, and also believes that many of the supposed 31% of 6 inch lines are actually 8 inches as well, and encourages Concord to update its database and system information.

Table 2 Inventory of Sewer Lines by Size

Pipe Size Inches	Clayton Linear Feet	Clayton Percent
6	74,168	31.62%
8	65,101	27.75%
9	0	0.00%
10*	1,973	0.84%
12*	3,306	1.41%
15*	4,092	1.74%
16*	0	0.00%
18*	3,925	1.67%
19*	287	0.12%
20	0	0%
21	0	0%
24	0	0%
27	0	0%
30	0	0%
33	0	0%
36	0	0%
39	0	0%
42	0	0%
54	0	0%
72	0	0%
78	0	0%
Unknown	81,734	34.84%
Totals	234,586	100%
	44.43 mi	

*Clayton's City Engineer believes these lines are owned by Concord, within Clayton City limits, a total of 13,583 feet. (to be confirmed by the end of 2015)

Table 3 Inventory Sewer Lines by Material Type – City of Clayton

Pipe Material	Clayton Linear Feet	Clayton Percent
ABS	213	0.09
ACP	60,253	25.68
DIP	3,105	1.32
Pipe Burst Plastic	0	0
PVC	99,677	42.49
VCP	55,449	23.64
Unknown	15,900	6.78
Total	234,597	100
	44.43 mi	

Table 4 Inventory of Sewer Lines by Pipe Age – Cities of Clayton and Concord

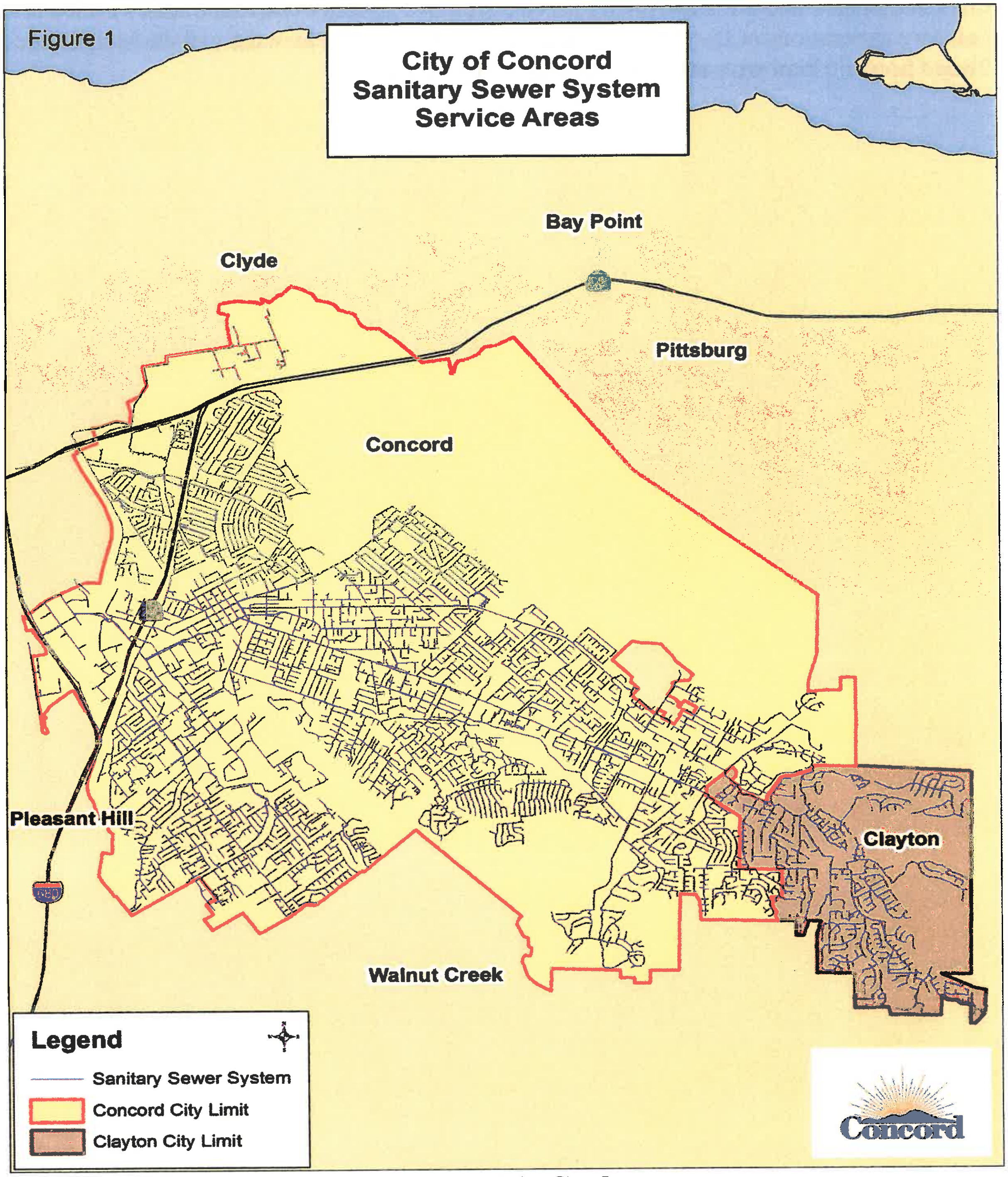
Age, Years	Construction Period	Percent of System	Linear Feet
0-15	2000 - current	7	143,678
16 – 35	1980 – 1999	29	595,239
36 – 55	1960 – 1979	25	513,137
56 – 75	1940 – 1959	31	636,290
76 - 95	1920 – 1939	5	102,627
95 - 115	1900 – 1119	3	61,576
		Total, linear feet	2,052,537
		Total, miles	388.74

Tables 2 and 3 above include large percentages of unknown pipe sizes and pipe materials. Concord collections staff should complete the identification of all pipe sizes and pipe materials in the next two years so that these percentages are reduced in both systems. They should also confirm that these lines segments have the proper installation dates associated with them. All Clayton lines were constructed post-1960, so no Clayton-owned lines are older than 54 years.

Future Expansion of Clayton Collection System

It is anticipated that the maintenance service area will continue to expand both by infill and also by annexations in Clayton, including about 290 potential new units in the Marsh Creek Road Specific Plan area, south and east of the City.

Figure 1 City of Clayton and Concord Sanitary Sewer System Service Area



Element 1: Goals

This element of the SSMP identifies goals the City has set for the management, operation and Maintenance of the sewer system. These goals provide focus for City staff to continue high-quality work and to implement improvement in the management of the City's wastewater collection system. This section fulfills the Goals requirement of the State Water Board.

State Water Board Requirement: The goal of the SSMP is to provide a plan and schedule to properly manage, operate, and maintain all parts of the sanitary sewer system. This will help reduce and prevent SSOs, as well as mitigate any SSOs that occur.

The City of Clayton will strive to provide high quality and cost-effective wastewater collection services for the City of Clayton by meeting the following goals, through the operations and management of its collection services that are contracted to the City of Concord:

- Continue to professionally manage, operate and maintain all components of the wastewater collection system.
- Provide adequate capacity to convey peak flows.
- Minimize the frequency of SSOs.
- Mitigate the impact of SSOs.
- Meet State Water Board requirements for SSO reporting and SSMP development, implementation, auditing, and updating.
- Provide personnel with the training and equipment to perform their work safely.
- Perform all maintenance activities in a cost-effective manner.
- Identify, prioritize, and continuously repair and replace deteriorated or deficient sewer system facilities to maintain reliability and system capacity.

Element 2: Organization

This element of the SSMP identifies the City staff responsible for implementing this SSMP, ensuring that contracted Concord staff responds to SSO events, and ensuring Concord staff meets the SSO reporting requirements for events related to Clayton. This section also includes the designation of Concord representatives who are authorized to complete and certify the reports associated with SSOs in the California CIWQS reporting system. This section fulfills the Organization requirements of State Water Board.

> **State Water Board Requirement**: The SSMP must identify:
>
> a. The name of the agency's responsible or authorized representative
> b. The names and telephone numbers for management, administrative, and maintenance positions for implementing specific measures in the SSMP program. The SSMP must identify lines of authority through an organization chart or similar document with a narrative explanation; and
> c. The chain of communication for reporting SSOs, from receipt of a complaint or other information, including the person responsible for reporting SSOs to the State and Regional Water Board and other agencies if applicable (such as County Health Officer, County Environmental Health Agency, Regional Water Board, and/or State Office of Emergency Services (OES).

2.1. City of Concord Authorized Representatives and Lines of Authority

By Agreement, the sewage collection system in Clayton is maintained by the personnel assigned to the Sewer Section working in the City of Concord's Public Works Department. The Clayton maintenance is provided by a Maintenance Agreement between the two agencies dated December 18, 1991. Currently Concord reports all required CIWQS information on behalf of Clayton under the City of Concord agency reports. Clayton is in the process of applying for a WDID number for the State, and future reporting to the State will remain with Concord on behalf of Clayton, but under the new Clayton WDID.

Concord's Sewer Section, under the direction of the Director of Public Works, is responsible for implementing and managing the SSMP operations and maintenance and emergency response to Clayton's sanitary sewer overflows. The Senior Maintenance Team Leader of the Sewer Section and the Infrastructure Maintenance Manager are the Legally Responsible Officials (LROs) for reporting SSOs to the State Water Board (e.g., State Office of Emergency Services for SSOs greater than 1,000 gallons, which reach a drainage channel or surface water, which discharge into a storm drain and are not fully recovered and returned to the sanitary sewer collection system, or which are deemed to be an imminent health hazard; and, the California Department of Fish & Game if the SSO results in any fish kills). Concord has designated its Infrastructure Manager and Senior Maintenance Team Leader classifications as Data Submitters for the input of SSO information on behalf of Clayton prior to certification by the LRO.

Concord's City Engineer, working in concert with the Public Works Department, develops City Standard Plans and Specifications for the design and construction of wastewater collection system components. In accordance with Concord Municipal Code Section 17-35 et seq., sanitary sewer facilities shall be installed in accordance with those Standard Plans and Specifications. As noted in Section 71 of the Standard Specifications, Concord has adopted CCCSD's standard specifications for these type facilities, with only a few exceptions, such as certain manhole details.

The Contra Costa County Building Division and CCCSD ensure that buildings within Clayton are constructed in accordance with applicable building codes (Uniform Plumbing Code) and City standards, including appropriately sized grease traps and grease interceptors for commercial facilities that require them. The Clayton City Engineer ensures that new developments and new City facilities are properly designed and constructed, including their sanitary sewer systems; he also updates the Clayton sewer system base maps after new developments or new city facilities have been constructed. In addition, the City Engineer is responsible for the determination that the collection system has adequate capacity to transmit all sewage discharged into the collection system and developing the capital improvement program including both capacity and renewal and rehabilitation of existing collection system lines and appurtenances. In the City of Clayton, the City Engineer has the responsibility for all capital extensions and replacement of collection system assets owned by that City. She/he is responsible for all capital improvement programs, acceptance of extensions and rehabilitations and approvals of additions. Discussions with Concord indicate that Concord thinks there is a need for more frequent communications and the development of procedures for the notification to Concord of new and capital replacement work upon acceptance by Clayton. Concord wants these notifications by a formal written document which will assure that maps and maintenance required by this SSMP are appropriately included in the service provisions. Concord plans to develop final procedures in the next twelve months.

Because the wastewater from the Concord and Clayton collection systems operated and maintained by Concord is treated at the CCCSD treatment plant, Concord has delegated to CCCSD the authority to administer the source control program as noted in Section 13.05.120(c) of the Concord Municipal Code. CCCSD's source control program includes the FOG program also discussed in this SSMP. Their entire source control program is conducted in accordance with their Source Control Ordinance, Title 10, which is available on-line at www.centralsan.org, under the Source Control Program link.

The organizational relationship and contact information for these pertinent functions are depicted on Figure 2 an abbreviated City organizational chart:

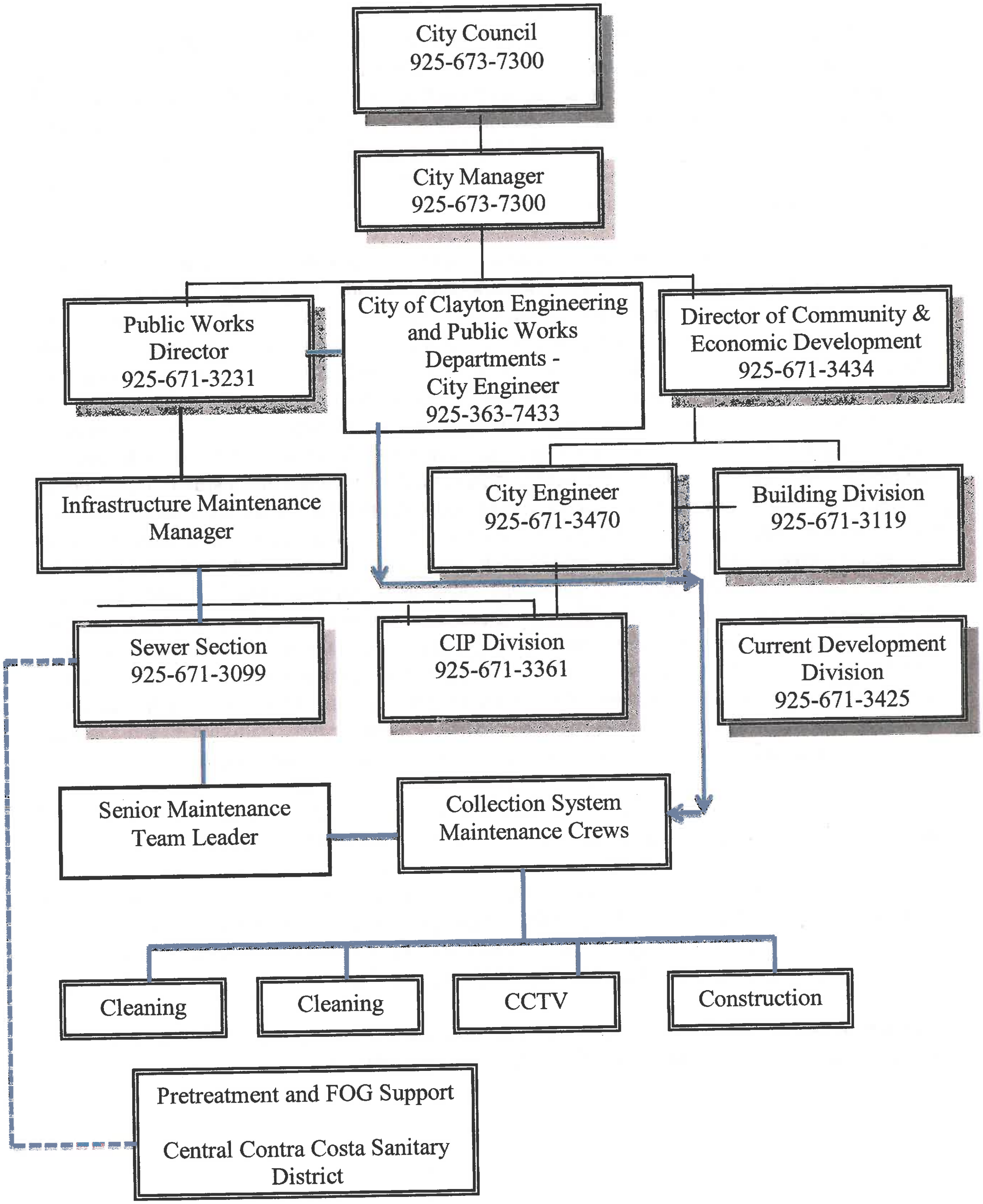


Figure 2 City of Concord Organization Chart (& Clayton relationship)

2.2. Chain of Communications for Reporting SSOs

When a report of an SSO within Concord or Clayton is received from the Police Dispatcher by the Public Works Department, Concord Sewer Section personnel are dispatched to verify the report and to determine whether the overflow is from the public sewer or from a private sewer lateral. If they observe an ongoing SSO or evidence that there has been an SSO at that location they take immediate steps to locate, contain and remove the obstruction in the sewer main. Once the obstruction has been removed they recover as much of the overflow and washdown water as possible, and then sanitize the affected area. They then provide a report of the SSO particulars to the Senior Maintenance Team Leader, who in turn provides this information to the Infrastructure Maintenance Manager.

The Infrastructure Maintenance Manager, or the Senior Maintenance Team Leader in his absence, makes the required reports and certifications to the California Integrated Water Quality System (CIWQS). The paperwork associated with each SSO is maintained by the Senior Maintenance Team Leader and stored at the Team Leader's office. These records shall be kept on file for a minimum of five years from the date of the event. SSO response and reporting procedures are described in more detail in SSMP Element 6 – Overflow Emergency Response Plan.

Table 5 List of City Staff Responsible for SSMP Elements

Element	Element Name	Responsible City Official	Phone	Email
	Introduction and Overview	City Engineer	925-363-7433	ricka@permcoengineering.com
1	Goals	City Engineer	925-363-7433	ricka@permcoengineering.com
2	Organization	City Engineer	925-363-7433	ricka@permcoengineering.com
3	Legal Authority	Concord Director of Public Works	925-671-3231	Justin.Ezell@cityofconcord,org
4	Operations and Maintenance Program	Concord Infrastructure Maintenance Manager	925-671-3045	Joe.Tagliaboschi@cityofconcord.org
5	Design and Performance Provisions	City Engineer	925-363-7433	ricka@permcoengineering.com
6	Overflow Emergency Response Plan	Concord Infrastructure Maintenance Manager	925-671-3045	Joe.Tagliaboschi@cityofconcord.org
7	Fats, Oils and Grease (FOG) Control Program	Building Official, CCCSD	925-671-3107	
8	System Evaluation and Capacity Assurance Plan	City Engineer	925-363-7433	ricka@permcoengineering.com
9	Monitoring, Measurement and Program Modifications	Concord Infrastructure Maintenance Manager	925-671-3045	Joe.Tagliaboschi@cityofconcord.org

10	Program Audits	Concord Infrastructure Maintenance Manager	925-671-3045	Joe.Tagliaboschi@cityofconcord.org
11	Communications Program	Concord Infrastructure Maintenance Manager	925-671-3045	Joe.Tagliaboschi@cityofconcord.org

Element 3: Legal Authority

This element of the SSMP discusses the City's legal authority with respect to its wastewater collection system, including related City Ordinances and agreements with other agencies. This section fulfills the Legal Authority requirements of the State Water Board.

State Water Board Requirement: Each Enrollee must demonstrate, through sanitary sewer system use ordinances, service agreements, or other legally binding procedures, that it possesses the necessary legal authority to:

a. Prevent illicit discharges into its sanitary sewer system, including I/I from satellite wastewater collection systems and laterals, stormwater, unauthorized debris, etc.
b. Require proper design and construction of sewers and connections.
c. Ensure access for maintenance, inspection and repairs to publicly owned portions of laterals.
d. Limit the discharge of FOG and other debris that may cause blockages.
e. Enforce violations of its sewer ordinances.

The Concord Municipal Code (CMC) includes a number of sections that provide the legal authority to prevent illicit discharges into its sanitary sewer system; to require sanitary sewer systems to be properly designed and constructed; to ensure access for maintenance, inspection, or repairs for the portion of the collection system maintained by the City of Concord; to limit the discharge of fats, oils, grease and other debris that may cause blockages; and to enforce any violation of its sewer ordinances. The CMC is available on-line at www.ci.concord.ca.us, under the City Government link. Applicable code sections from Title 13 and 17 are included in Table 6, "Legal Authority Checklist" later in this section. In addition, because the City has contracted with Central Contra Costa Sanitary District for industrial waste management and FOG control management, the applicable section of the District code are also included in Table 3. Finally, the City of Clayton has direct ownership for their collection system lines; references to the Clayton Municipal Code are also included in the Table.

Because the wastewater from the collection system operated and maintained by Concord is treated at the CCCSD treatment plant, Concord has delegated to CCCSD the authority to administer the source control program as noted in Section 13.05.120 et seq. of the Concord Municipal Code. CCCSD's source control program includes the FOG program also discussed in this SSMP. Their entire source control program is conducted in accordance with the CCCSD Source Control Ordinance, Title 10, which is available on-line at www.centralsan.org, under the Source Control Program link and as specified in Table 6.

Concord provides sanitary sewer service to the City of Clayton in accordance with the Agreement dated December 18, 1991. Under the terms of this Agreement, Concord owns the sewer trunk line in Clayton but also maintains the collection system in Clayton owned by that City. Concord must approve the plans and specifications for any proposed sewer mains, laterals and other improvements related to the sewer system in Clayton, and must approve any connection to the collection system. Also, Clayton sewers must comply with Concord Code, per the 1991 Agreement. Clayton residents and businesses are assessed the same sewer service rates as Concord's residents and businesses.

The table on the next page summarizes the pertinent CMC and CCCSD code provisions that provide for the legal authority over various activities associated with the Clayton sanitary sewer collection system that is operated and maintained by Concord.

Table 6 Legal Authority Checklist

Requirement	Agency Code Reference
Public Sewers	
Ability to prevent illicit discharges into the wastewater collection system	CMC 13.05.090 (b); 13.05.120 (c) & (d) CCCSD Title 10 Clayton MC 13.08.020
Ability to limit the discharge of FOG and other debris that may cause blockages	CMC 13.05.120 (d)(2) & (d)(13) CCCSD Title 10
Ability to require that sewers and connections be properly designed and constructed	CMC 17.35.040 CMC 17.35.210
Ability to require proper installation, testing, and inspection of new and rehabilitated sewers	CMC 17.35.080 to 17.35.100
Laterals	
Provide clear support for Agency responsibility (upper and/or lower lateral) and policies (e.g. courtesy cleaning, repair, cleanout installation)	CMC 13.05.100 (k) PW Dept. Order #31
Ensure access for maintenance, inspection, or repairs for portions of the service lateral owned or maintained by the Agency	CMC 13.05.100 (k)
Ability to control infiltration and inflow (I/I) from private service laterals	CMC 13.05.120 (13) CMC 13.05.120 (13)
Satellite Collection Systems	
Ability to control infiltration and inflow (I/I) from satellite collection systems	Agreement between Concord and Clayton dated 12/18/91
FOG Source Control	
Requirements for the installation of GRDs	CMC 13.05.120 (c) CCCSD 10.32.010
Ability to set design standards for GRDs	CCCSD 10.32.010
Ability to set maintenance requirements for GRDs	CCCSD 10.32.030 and .035
Ability to require application of BMP	CCCSD 10.35.035A
Ability to require record keeping and reporting of GRD maintenance and repair	CCCSD 10.35.035F
Authority to inspect grease producing facilities	CMC 1.05.120 (c) CCCSD 10.32.035A
Enforcement	
Ability to enforce any violation of the Agency's sewer ordinances	CMC 13.05.070 CMC 13.05.100 (l) CMC 13.05.120 (e) to (l) CMC 13.05.150 Clayton MC 13.08.170 - .200

Other Requirements (Recommended but not required by GWDR)	
Define lateral ownership and maintenance responsibility	CMC 13.05.100 (k) PW Dept. Order #31
Prohibit vandalism (tampering)	CMC 13.05.100 (l) CCCSD 10.08.050
Ability to deal effectively with private lateral problems (e.g. force property owner to correct failed/plugged private building sewer)	CMC 13.05.100 (g)

Element 4: Operations and Maintenance Program

This element of the SSMP discusses the City's documented performance measures and activities associated with the preventive maintenance performed in the City's service area. Adherence to these measures and activities should result in fewer and smaller SSOs. This section fulfills the requirements of the State Water Board.

SWRCB Waste Discharge Requirement:

The SSMP must include those elements listed below that are appropriate and applicable to the Enrollee's system:

(a) Maintain an up-to-date map of the sanitary sewer system, showing all gravity line segments and manholes, pumping facilities, pressure pipes and valves, and applicable Stormwater conveyance facilities;

(b) Describe routine preventive operation and maintenance activities by staff and contractors, including a system for scheduling regular maintenance and cleaning of the sanitary sewer system with more frequent cleaning and maintenance targeted at known problem areas. The Preventative Maintenance (PM) program should have a system to document scheduled and conducted activities, such as work orders;

(c) Develop a rehabilitation and replacement plan to identify and prioritize system deficiencies and implement short-term and long-term rehabilitation actions to address each deficiency. The program should include regular visual and TV inspections of manholes and sewer pipes, and a system for ranking the condition of sewer pipes and scheduling rehabilitation. Rehabilitation and replacement should focus on sewer pipes that are at risk of collapse or prone to more frequent blockages due to pipe defects. Finally, the rehabilitation and replacement plan should include a capital improvement plan that addresses proper management and protection of the infrastructure assets. The plan shall include a time schedule for implementing the short- and long-term plans plus a schedule for developing the funds needed for the capital improvement plan;

(d) Provide training on a regular basis for staff in sanitary sewer system operations and maintenance, and require contractors to be appropriately trained; and

(e) Provide equipment and replacement part inventories, including identification of critical replacement parts.

4.1. Collection System Maps

The contracted City of Concord staff currently operates using map books of the sewer and storm drain systems available to all maintenance personnel in full size 24" x 36" map sheets. These maps contain the entire collection and drainage systems for Concord and all known sewer collection system assets in the City of Clayton and the County. Changes and modifications of these maps noted by field personnel are currently added on the master maps in the office that are periodically updated by the Concord Engineering Department on the original GIS base maps. Once updated, new map sheets are circulated to all plan holders to be inserted into the maps used by that crew. All new developments are added to the existing maps upon completion and acceptance for maintenance by the City Council. All new and extended pipelines installed within the City of Clayton are reviewed and approved by the City of Concord prior to construction. Clayton staff inspects and approves the final acceptance and then informs Concord so that maintenance can be initiated on these pipelines. These maps currently are missing 13 to 15% of the basic system information including both pipe size and pipe materials as noted in Tables 2 and 3 earlier in this report. The City of Concord staff should establish goals to obtain this information during normal cleaning operations and enter this information into the maintenance management system within the next two years.

Concord is in the process of updating their mapping capabilities by placing all system maps into a GIS platform that will allow for full electronic management of the sewer and storm drain system maps along with the inventory data associated with all pipe segments. These improvements will also include the maps of the Clayton sewer collection system as part of the improvements. In addition, Concord will also be moving to include tablets with all mapping in the collection system crew vehicles, which will enable real time access to the maps of maintained pipelines. It is anticipated that these mapping improvements will be completed and available to field crews in late 2014.

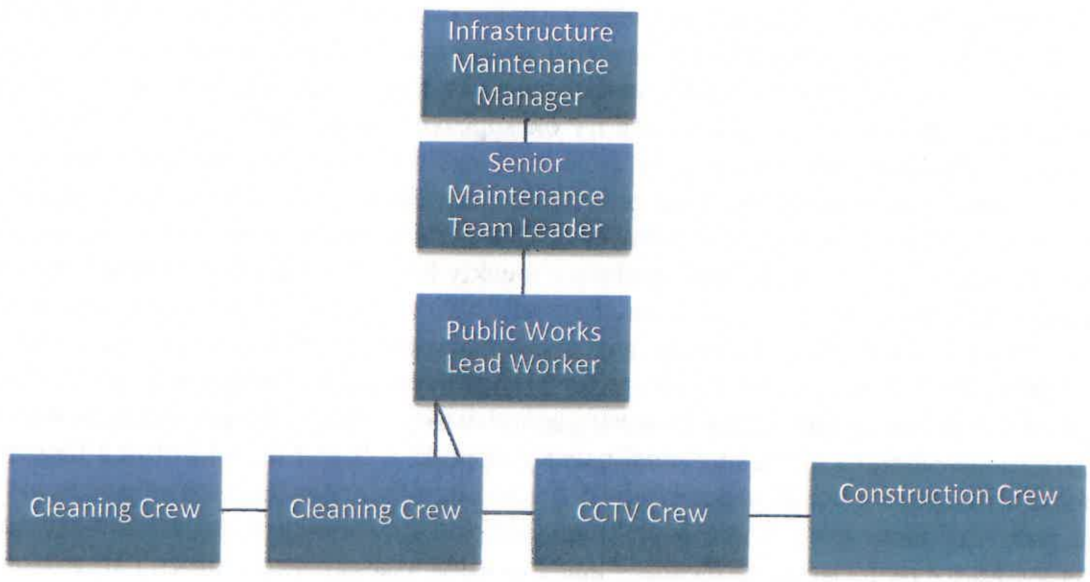
The City will be working to enhance its communications with the City of Concord regarding the electronic mapping programs to assure that proper procedures are established to assure that the Clayton sewer system is up to date and complete. In addition, Concord will also be working to add the Clayton storm drainage infrastructure to the GIS system.

4.2. Resources and Staffing

The ten personnel in the Concord Sewer Section (Sewer Section) are responsible for maintenance the collection systems in both Concord and Clayton. The staffing of this Section includes a Senior Maintenance Team Leader, a Lead Worker, and eight Maintenance Worker positions. The collection system staff is generally formed into four crews including two cleaning crews, one CCTV crew and one construction crew. See Figure 3 for the current organization of the Sewer Section. The eight field staff operate in two-person crews with expansion to three for high traffic and safety areas utilizing street maintenance personnel to assist with traffic control and general support related to safe operations. These crews provide regular and hot spot line cleaning, easement maintenance, lateral maintenance for some laterals with curbside cleanouts, CCTV inspection, condition assessment of lines and routine small, shallow construction repairs to the sewer system and laterals. The Public Works Lead Worker spends a considerable amount of time processing USA marking requirements.

Standby duty is currently rotated among four of the Maintenance Workers, who are on standby for one week at a time, ending at 0700 each Monday (if Monday is a holiday that standby shift ends on Tuesday at 0700). Sewer operations are supported by administrative and clerical support personnel on a part time basis. Finally, the operations are also supported as needed by engineering and technical personnel in the Community and Economic Development Department.

Figure 3 Concord Sewer Section Organization Chart



The Concord Sewer Section is assigned three Vactor trucks, one CCTV van, four pick-up support vehicles, one trailer-mounted air compressor, portable generators, trash pumps, and two construction crew trucks. When needed, backhoes, flatbed trucks, dump trucks, arrow boards, and a Vactor hydrovac truck (Vacon) are available from the Streets Section. Concord's FY 2011/12 operating budget to support this Section's activities was $4,363,273. Of this, $4,132,626 was allocated to maintenance and operations (staff and CCTV), while

$230,647 was allocated to repairs. An additional $900,000 is available in the reserve fund for repairs as well.

4.3. Preventive Maintenance Program

The City's collection system contracted operations and maintenance program is composed of several elements including preventive and corrective maintenance, pipeline inspection and condition assessment of all sewer lines and appurtenances. The descriptions below and associated tables include work and results in both Clayton and Concord.

4.3.1. Preventive Maintenance

Sewer Section crews hydroclean approximately 80,000 to 100,000 linear feet of sewer mains each month in the maintenance service area that includes both Concord and Clayton, which means that in a typical year they will hydroclean more than 100 miles of sewer mains. Annual hydrocleaning is performed by the City on approximately 50% of the 341 miles of 6", 8" and 10" diameter sewer mains, for a cleaning cycle of two years on these mains. All "problem" mains are cleaned on either a weekly, monthly, or quarterly hydrocleaning schedule, thus are cleaned repeatedly each year. There are currently 50 sewer main segments (manhole to manhole) that are hydrocleaned on a weekly basis, 47 additional segments that are cleaned on a monthly basis, and an additional 480 segments that are on a quarterly hydrocleaning schedule. Hydrocleaning sewer mains that are prone to blockage significantly reduce SSOs. In the past, Concord has used a general required cleaning crews' to report findings of the cleaning operations in a very general way. In the future Concord will be moving to use the rating of cleaning results using Appendix 4-A at the end of this Element. This change will assure uniform reporting of the results of the cleaning crews maintenance activities and will allow for a coordinated method for the determination of line cleaning needs in the future based upon both cleaning and condition assessment of lines. This revised rating process should result in significant revisions to the current schedule for pipeline operations and maintenance and should allow for proper cleaning on an as needed basis rather than based only upon a defined schedule. This will establish cleaning schedules that are appropriate for the pipeline in its operating condition.

Concord currently does not have defined cleaning procedures for large diameter sewers 12 inches or greater but has not experienced any maintenance problems with these pipelines in the past. Currently this represents approximately 13% of the service area pipelines as indicated in Table 2 earlier in this SSMP. It is recommend that Concord staff develop policies and procedures for the operations and management of these large diameter lines to assure that they are clean and will not create opportunities for future sanitary sewer overflows. This effort does not affect Clayton lines or the Clayton system, since all lines that 12 inches or greater in diameter are owned by Concord and not Clayton.

Table 7 Problem Main Lines - Cleaning Schedule Summary

Cleaning Frequency	Number of Pipe Segments	Linear Feet of Line Segments on Schedule	Annual Total Linear Feet
Weekly	50	11,750	611,000
Monthly	47	6,750	81,000
Quarterly	480	108,868	241,800
Totals	577	127,368	933,800

Clayton Lines Only

Cleaning Frequency	Number of Pipe Segments	Linear Feet of Line Segments on Schedule	Annual Total Linear Feet
Weekly	1	300	15,600
Monthly	0	0	0
Quarterly	12	3137	12,548
Totals	13	3437	28,148

Concord does not currently manage the addition or deletion of lines from this Problem Main Cleaning Schedule. Concord staff should implement procedures for the evaluation as to reasons for lines to be on the list and philosophy as to means and methods to determine when and how a line is added or deleted from this maintenance area. These evaluations should be based on regular cleaning intervals, historical cleaning results, CCTV evaluation and SSO history. These evaluations should also include research as to the need for repairs or replacement of the lines to eliminate the continued maintenance problems. The staff should develop these procedures in the coming fiscal year.

Table 8 Evaluation of Results of Cleaning Operations

Calendar Year	Hydro Cleaning, LF	Percent of System
2008	2,525,066	123%
2009	2,071,383	100.9%
2010	1,321,995	64.4%
2011	790,466	38.5%
2012	784,518	38.2%
2013	1,287,361	62.7%

Finally, a formal program for the condition assessment, evaluation and documentation of all manholes and other appurtenances maintained in the collection system should be developed and implemented along with processes to maintain historical information from this work.

The reductions in cleaning results in 2011 and 2012 were a direct result of unfilled positions and changes in management philosophy. Concord anticipates that future results will reflect the target results stated earlier. Differences in the future will be evaluated and explained in the SSMP Audit Report as Concord considers program effectiveness.

Finally, Concord will maintain lower laterals from the City main to separately installed property line clean-out that is approved and accepted by the City. Once approved, the Concord staff maintains these portions of the lateral. The entire upper lateral and any laterals without approved clean-outs remains the responsibility of the private property owner.

4.3.2. Pipeline Inspection and Condition Assessment

Concord is currently evaluating its pipeline condition assessment program including the CCTV frequency and use of formal condition assessment protocols. It is anticipated that they will establish CCTV frequencies based upon findings from previous CCTV efforts. It is expected that these policies and procedures will be in place within two years from the adoption date of this SSMP. These policies and procedures will include all pipes in Concord and Clayton service area.

Concord currently does not revise the CCTV frequency of a sewer pipeline based upon findings from the inspection and condition assessment of the resulting video. It is proposed that Concord in the future move to implement its CCTV scheduling by utilizing the condition assessment results to formulate the future frequency of inspections of a pipeline segment. Figure 4, CCTV Results and Future CCTV Frequencies provides guidelines for the return frequency of CCTV efforts based upon the actual findings of the previous inspection and the PACP rating of an individual pipeline segment during the condition assessment. Based upon Figure 4, the City anticipates that a return frequency for all lines will result in a 15 to 18 year return frequency for CCTV assessments.

Table 9 Summary of Historical CCTV Results, Total System

Calendar Year	Linear Feet Inspected	Percent of System
2008	131,132	6.4%
2009	275,873	13.4%
2010	329,164	16.0%
2011	216,837	10.6%
2012	104,067	5.1%
2013	132,200	6.5%
Total	**1,189,273**	**57.9%**
Average	**198,212**	**9.66 %**

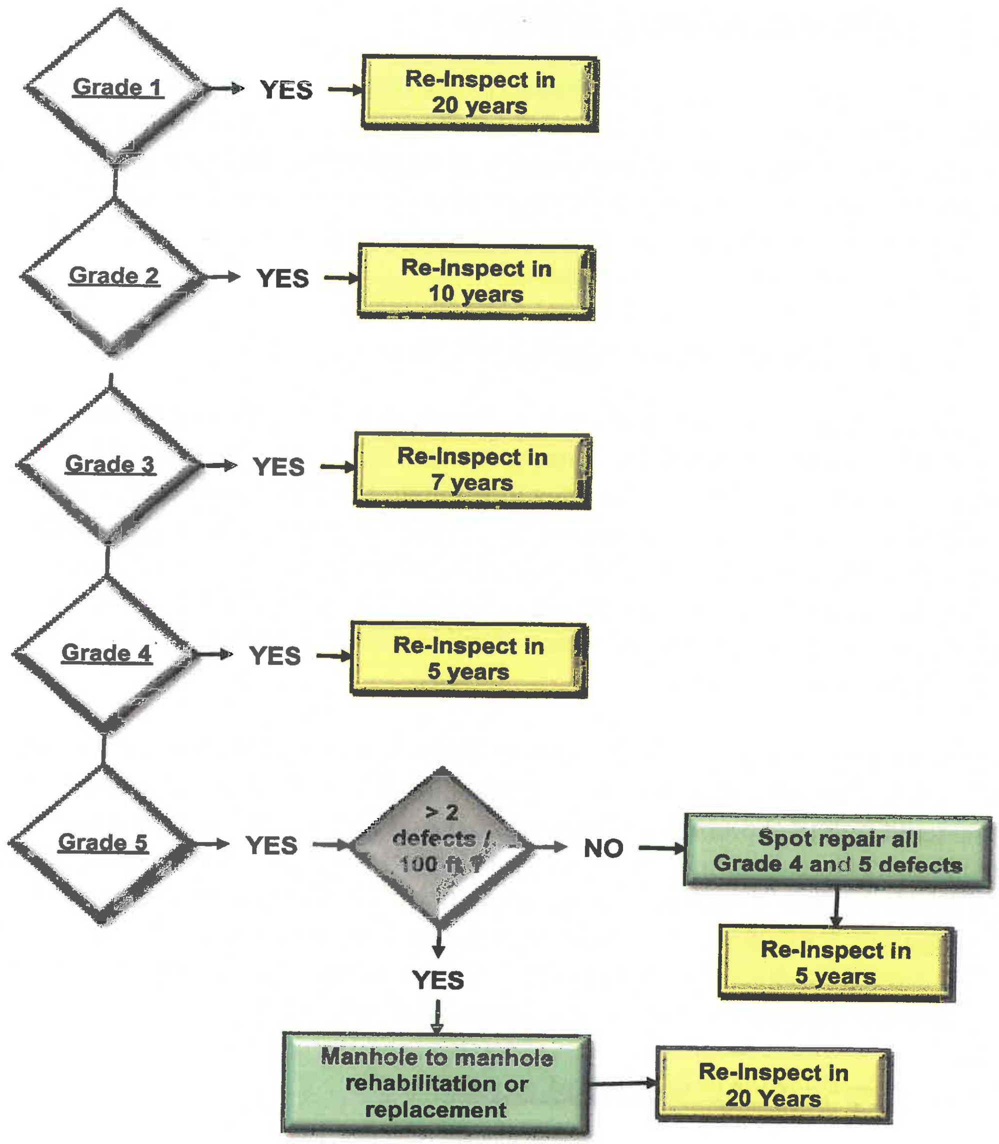


Figure 4 CCTV Results and Future CCTV Frequencies

4.3.3. Construction Program

The Concord construction crew, typically consisting of two (2) persons, is responsible for minor spot repairs required in the collection system pipelines and lower laterals. This work is limited to construction not deeper than 5 – 6 feet from ground surface. All work is scheduled through the work order system. Construction deeper than 6 feet is handled either by separate purchase orders or by public bidding of projects greater in value that City purchasing guidelines or public bidding requirements.

4.3.4. Utility Identification and Marking

The Sewer Section Public Works Lead Worker is assigned to respond to all Underground Service Alert (USA) requests that are received for the entire maintenance service area. He or she locates and marks any sanitary sewer mains and any storm drainage system lines in the area delineated by each USA request. The Department handles approximately 3,700 requests per year for pipeline identification. Concord is copied on all USA requests for the Clayton area, so Concord can respond to these requests.

4.3.5. Fats, Oils and Grease Cleaning Program

The FOG program discussed in greater detail in Element 7 is another important component of the City's FOG preventive maintenance program. In a typical year, CCCSD will conduct more than 100 plus source control inspections in the maintenance service area and issued 15 or more enforcement actions (Warnings and NOVs) for violating various provisions of their Source Control Ordinance, Title 10. In the rare instance where a business does not correct the condition that resulted in them receiving a Notice of Violation, CCCSD can levy fines of up to $5000/day until they are in compliance; the threat of that level fine is usually enough to encourage the business to comply.

In the course of responding to an SSO, Sewer Section crews will identify the cause of the overflow, which typically turns out to be grease or roots. The problem sewer line is then cleaned repeatedly until the problem that caused the overflow has been removed. They then perform a follow-up televised inspection of that sewer line, and if additional problems are noted that require a dig-up spot repair, or occasionally, the trenchless replacement (typically by pipe bursting or Cast-In-Place Pipe lining) of a segment of a sewer line, a Work Order is generated and prioritized for that repair work. All completed Work Orders for these repairs are recorded in the computerized maintenance management system, GBA.

4.3.6. Work Order Management System

The City of Concord has utilized the GBA Masters Series computerized maintenance management system for tracking service calls, Work Orders completed, manhole designations, pipe material, segment lengths, etc. The images from the televised inspections of the sewer mains are not included in GBA, but the date the televising was done is noted, as well as what line segments were televised and any discrepancies observed during the video inspection (e.g., pipe offsets, etc.). The images are stored on external hard drives, each with backup storage, and held in the Team Leader's office. Concord is currently replacing the GBA Masters Series software with the Acela Technologies, Inc. maintenance management system and enhancing its GIS system to allow for the integration of infrastructure data, CCTV video and work order management capabilities into a single system. The new system should be operational later in 2014 and will rely on information storage in the cloud thereby allowing for real time direct connectivity for all collection system crews utilizing the new vehicle hardware. This will allow crews to view maps and work orders in real time as they work in the field. This will significantly enhance the crews' ability to have the most up-to-date collection system information for the entire maintenance service area as needed in the field.

4.3.7 Rehabilitation and Repair of Existing Collection System Pipelines

Clayton has no sewers older than 50 years and currently a limited need for rehabilitation of existing pipes. Repairs are performed as described in section 4.3.3 above. The Marsh Creek Road Specific Plan was completed in May 2008 and it included recommendations for work on existing sewers at the time new developments are constructed in the future (see Element 8). Clayton will work on establishing a plan in the future for rehabilitation of existing lines.

4.4. Training

4.4.1. Concord Sewer Section Personnel

The most important training attended by Sewer Section personnel is safety training to ensure they are properly trained to perform their work safely. The Concord Infrastructure Maintenance Division conducts bi-weekly safety training sessions in conjunction with the distribution of paychecks every other Thursday. All available personnel from both the Sewer Section and the Streets & Drainage Section are required to attend these sessions. The safety training schedule for each fiscal year is developed and distributed prior to July of each year and notes the date of each training session, the safety topic to be discussed, and which crew member will be leading that training session. Typical topics that pertain to both Sections include: motor vehicle safety, traffic control, trenching and shoring, ergonomics guidelines, safety responsibilities, first aid principles, stress management, daily vehicle inspections, heat stress, and personal protective equipment. Topics specific to the Sewer Section personnel include: confined space precautions, blood borne pathogens, confined space entry, lockout/blockout/tagout (with respect to the Pump Station equipment), the Sanitary Sewer Management Plan and the SSO Overflow Emergency Response Plan. Concord is also working on the development of an electronic based safety-training program titled My Safety Officer by DKF Solutions, Inc. This system will allow employees the ability to train using computer-based software and it will track and document all training activity for each employee. This system will be operational in 2014.

The Concord Sewer Section personnel currently have an average of more than 5-years' experience in conducting sewer system maintenance. New personnel coming into that Section are teamed up with the more experienced crewmembers to receive on-the-job training on the various maintenance activities that they perform (hydrocleaning, televising mains, USA locates, etc.). The Sewer Section will be developing a New Employee Training Program for issues related to regulatory and risk management issues in the operations of the sewer system. All Sewer Section personnel also have the opportunity to participate in CWEA programs and vendor-sponsored training courses. All collection system employees are strongly encouraged to obtain Collection System certifications as a further indication of their competence and capabilities in this specialized area of maintenance.

4.4.2. Outreach to Plumbers and Contractors

As discussed in Element 7: FOG Control Program, "Public Education and Outreach," CCCSD has created pamphlets, posters, and brochures, and delivers them to commercial customers at the time of inspection and by mail as part of the FOG program that CCCSD conducts on Concord's behalf in the maintenance service area. These outreach materials are available on CCCSD's website, and are updated and improved regularly by CCCSD. Outreach promotes preventative measures to minimize fats, oils, and grease in the collection system. The materials are designed to educate the public about improper grease disposal and to promote the use of Best Management Practices in an effort to prevent blockages in private laterals, minimize FOG from entering the sewer mains, and reduce overall maintenance requirements of the City's sewer system.

The City requires all service and construction contractors to be trained or provide evidence of comparable emergency response training for all contractor employees in overflow emergency response procedures. In addition, all construction contracts include discussions at pre-construction and regular project meetings to assure that these contractors are aware of the proper response requirements should they cause or observe a sewage overflow in the Clayton sewer system.

4.5. Contingency Equipment and Critical Replacement Inventories

The Concord Sewer Section is assigned four utility pick-up trucks, portable generators, portable air compressors, and assorted Wacker trash pumps. When needed, backhoes, flatbed trucks, dump trucks, portable arrow boards, and a Vactor hydrovac truck are available from the Streets Section. Each of those vehicles is equipped with a first aid kit, latex gloves, hand disinfectant, copies of the sewer system and drainage system base maps, as well as hand tools, caution tape and a flashlight. Each hydro truck also carries four spare hydrocleaning heads, as well as male and female repair couplers; 500 feet of spare hydrocleaning hose is stored at the Pump Station warehouse that is now utilized entirely for storage.

The Sewer Section crewmember on standby is assigned a pager and the standby vehicle. The standby vehicle is outfitted with an assortment of hand tools, the sewer system and drainage system base maps, flashlights, barricades, sand bags, absorbent, caution tape, cameras? buckets, gloves, brooms, shovels, a rake, a manhole lid puller, a sledgehammer, disinfectant, deodorizer, sprayer, and seven (7) gas detectors. These detectors are calibrated monthly and detect the levels of hydrogen sulfide, carbon monoxide, and oxygen in the atmosphere being tested, as well as the lower explosive limit of the atmosphere being tested.

Miscellaneous sewer main repair parts, including spare pipe sections, elbows, T-connectors and Y-connectors, are stored at the Pump Station warehouse. These parts, and more, are also readily available during normal working hours at a number of plumbing supply stores in the local area. Also stored at the Pump Station warehouse is a dual head halogen light, extra barricades, absorbent mats and waddles, disinfectant, deodorizer, sprayers, and spare manhole lids. In addition, the City has arrangements with Roto Rooter and ServiceMasters to assist as necessary during emergency situations.

If very large sewage bypass pumps are required, Rain for Rent can provide this equipment at any time of the day or night in very short order. In addition, Concord and CCCSD are developing a Mutual Aid Agreement that would provide for additional resources to be brought into play should either agency need the other agency's assistance to respond to a sewer emergency.

Appendix 4-A Standard Measures of Observed Results for Collection System Line Cleaning

Standard Measures of Observed Results

The standard measures of observed "results" for the cleaning of small diameter [a] (six- and eight-inch) sewers are:

Category	None	Low	Medium	High
Debris/Grit	<u>Code: CL</u> No observable debris or grit	<u>Code: DL</u> Minor amount of debris 15 minutes or less to clean 1 pass	<u>Code: DM</u> Less than 5 gallons of debris 15-30 minutes to clean 2-3 passes required Requires cleaning twice or less per year Only fine grit	<u>Code: DH</u> More than 5 gallons of debris More than 30 minutes to clean More than 4 passes required Requires cleaning four times per year Operator concern for future stoppage
Grease	<u>Code: CL</u> No observable grease	<u>Code: GL</u> Minor amounts of grease 15 minutes or less to clean 1pass	<u>Code: GM</u> Small chunks/no "logs" 15-30 minutes to clean 2-3 passes required Requires cleaning twice or less per year	<u>Code: GH</u> Big chunks/"logs" More than 30 minutes to clean More than 4 passes required Operator concern for future stoppage
Roots	<u>Code: CL</u> No observable roots	<u>Code: RL</u> Minor amounts of roots 15 minutes or less to clean 1 pass	<u>Code: RM</u> Thin/stringy roots present No large "clumps" 15-30 minutes to clean 2-3 passes required	<u>Code: RH</u> Thick roots present Large "clumps" More than 30 minutes to clean More than 4 passes required Operator concern for future stoppage
Other	<u>Code: CL</u> No observable materials	<u>Code: OL</u> Specify material Minor amounts of material	<u>Code: OM</u> Specify material Less than 5 gallons of material	<u>Code: OH</u> Specify material More than 5 gallons of material Operator concern for future stoppage

Footnote: (a) Times shown are for typical manhole to manhole distance of 250 feet. Longer runs will require longer cleaning times. Judgment will need to be applied by the field crews for varying lengths and pipe diameters.

Element 5: Design and Performance Provisions

This element of the SSMP describes the design and construction standards adopted by the City of Concord for sanitary sewer systems. These standards fulfill the Design and Construction Standards requirements of the State Water Board.

State Water Board Requirement: The SSMP must identify design and construction standards and specifications for the installation of new sanitary sewer systems, pump stations and other appurtenances; and for the rehabilitation and repair of existing sanitary sewer systems. Each wastewater collection system agency shall identify procedures and standards for inspecting and testing the installation of new sewers, pump stations, and other appurtenances; and for rehabilitation and repair projects.

5.1. City (and Concord) Design and Construction Standards

Concord has adopted CCCSD's Standard Specifications for the design and construction of sanitary sewer systems, with minor exceptions regarding design flow criteria and certain manhole details within the maintenance service area. These standards apply to both new installations and the rehabilitation or repair of existing components of the collection system. These Standard Specifications also detail the procedures and standards for inspecting and testing the installation of collection system components. Copies of the latest edition of CCCSD's Standard Specifications, including amendments thereto, is available at the CCCSD website and at the City of Concord's Public Works Department. Clayton believes that Concord began using CCCSD's wastewater design flow criteria in 2011 or 2012. Concord previously used the design flow criteria outlined in the Newhall Ranch Alternate Trunk Sewer Feasibility Report performed by Govers Engineers in June 1978. This wastewater design flow criteria was adopted by the Concord City Council in 1978 and was also used in the 1991 Clayton Sewer Study performed by Govers Engineers. The Clayton City Council approved the use of CCCSD criteria for the evaluation of future flows from the March Creek Road Specific Plan area on March 21, 2006, since an investigation by RMC indicated the CCCSD criteria more closely modeled actual flows in Clayton than the criteria in the Govers report.

Inspection and testing of new and rehabilitated collection system components is conducted by inspectors assigned to the Concord CIP Department or the Development Department. These inspectors ensure that the work is performed in accordance with the City of Concord prescribed standards, which, as noted above, are for the standards detailed in CCCSD's Standard Specifications. Clayton inspectors are responsible for the inspection and acceptance of new pipelines constructed in the City of Clayton after Concord approval of the plans and specifications. In some instances inspections shall be performed by Concord for lines that are rehabilitated by the City of Concord capital improvement program.

The County Building Department performs all plan checks and inspections, and ensures that buildings are constructed in accordance with applicable building codes, including appropriately sized grease traps and grease interceptors for commercial facilities that require them. The grease traps and grease interceptors are inspected and approved by CCCSD.

Element 6: Overflow Emergency Response Plan

This element of the SSMP provides an overview and summary of the Concord's emergency response procedures for sewer overflows in Clayton and Concord. These procedures fulfill the Overflow Emergency Response Plan requirements of the State Water Board. These procedures are applicable to SSOs in Clayton as well as Concord, and Clayton SSOs are handled by Concord staff per the agreement between the two cities.

State Water Board Requirement: Each Enrollee shall develop and implement an overflow emergency response plan that identifies measures to protect public health and the environment. At a minimum, this plan must include the following:

a. Proper notification procedures so that the primary responders and regulatory agencies are informed of all SSOs in a timely manner;
b. A program to ensure an appropriate response to all overflows;
c. Procedures to ensure prompt notification to appropriate regulatory agencies and other potentially affected entities (e.g., health agencies, Regional Water Boards, water suppliers, etc.) of all SSOs that potentially affect public health or reach waters of the State in accordance with the MRP. All SSOs shall be reported in accordance with this MRP, the California Water Code, other State Law, and other applicable Regional Water Board WDRs or NPDES permit requirements. The SSMP should identify the officials who will receive immediate notification;
d. Procedures to ensure that appropriate staff and contractor personnel are aware of and follow the Emergency Response Plan and are appropriately trained;
e. Procedures to address emergency operations, such as traffic and crowd control and other necessary response activities; and
f. A program to ensure that all reasonable steps are taken to contain and prevent the discharge of untreated and partially treated wastewater to waters of the United States and to minimize or correct any adverse impact on the environment resulting from the SSOs, including such accelerated or additional monitoring as may be necessary to determine the nature and impact of the discharge.

6.1. Purpose

The purpose of the City of Concord's Overflow Emergency Response Plan (OERP) is to support an orderly and effective response to Sanitary Sewer Overflows (SSOs), in Clayton as well as Concord. The OERP provides guidelines for Concord personnel to follow in responding to, cleaning up, and reporting SSOs that may occur within the City's service area (Concord and Clayton). This OERP satisfies the SWB Statewide General Waste Discharge Requirements (GWDR), which require wastewater collection agencies to have an Overflow Emergency Response Plan. The information contained in this Element comes directly from the City of Concord Overflow Emergency Response Plan prepared by DKF Solutions Group. That document contains all forms and Packets identified in this Element. The reader should refer directly to that document for the specific documents. The term "City" throughout this element refers to Concord, who is performing these response activities in Clayton for the City of Clayton.

6.2. Policy

The City's employees are required to report all wastewater overflows found and to take the appropriate action to secure the wastewater overflow area, properly report to the appropriate regulatory agencies, relieve the cause of the overflow, and ensure that the affected area is cleaned as soon as possible to minimize health hazards to the public and protect the environment. The City's goal is to respond to sewer system overflows (SSOs) as soon as possible following notification. On behalf of Clayton, Concord will follow reporting procedures in regards to SSOs as set forth by the San Francisco Regional Water Quality Control Board and the California State Water Resources Control Board.

6.3. Definitions As Used In This OERP

CALIFORNIA INTEGRATED WATER QUALITY SYSTEM (CIWQS): Refers to the State Water Resources Control Board online electronic reporting system that is used to report SSOs, certify completion of the SSMP, and provide information on the sanitary sewer system.

FOG or FROG – Fats, Roots, Oils, and Grease: FOG refers to fats, oils, and grease typically associated with food preparation and cooking activities that can cause blockages in the sanitary sewer system. Tree root invasion (R) presents an additional problem. If a mat of root hair forms in the sewer line it slows the flow of wastewater and exacerbates the rate of accumulation of FOG materials.

LEGALLY RESPONSIBLE OFFICIAL (LRO): Refers to an individual who has the authority to certify reports and other actions that are submitted through CIWQS.

MAINLINE SEWER: Refers to City wastewater collection system piping that is not a private lateral connection to a user.

MAINTENANCE HOLE OR MANHOLE: Refers to an engineered structure that is intended to provide access to a sanitary sewer for maintenance and inspection.

NOTIFICATION OF AN SSO: Refers to the time at which the City becomes aware of an SSO event through observation or notification by the public or other source.

NUISANCE - California Water Code section 13050, subdivision (m), defines nuisance as anything that meets all of the following requirements:

a. Is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property.

b. Affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.

c. Occurs during, or as a result of, the treatment or disposal of wastes.

PREVENTATIVE MAINTENANCE: Refers to maintenance activities intended to prevent failures of the wastewater collection system facilities (e.g. cleaning, CCTV, inspection).

PRIVATE LATERAL SEWAGE DISCHARGES – Sewage discharges that are caused by blockages or other problems within a privately owned lateral.

SANITARY SEWER OVERFLOW (SSO) - Any overflow, spill, release, discharge or diversion of untreated or partially treated wastewater from a sanitary sewer system. SSOs include:

(i) Overflows or releases of untreated or partially treated wastewater that reach waters of the United States;

(ii) Overflows or releases of untreated or partially treated wastewater that do not reach waters of the United States; and

(iii) Wastewater backups into buildings and on private property that are caused by blockages or flow conditions within the publicly owned portion of a sanitary sewer system.

SSOs that include multiple appearance points resulting from a single cause will be considered one SSO for documentation and reporting purposes in CIWQS.

NOTE: Wastewater backups into buildings caused by a blockage or other malfunction of a building lateral that is privately owned are not SSOs.

SSO Categories:

Category 1: Discharge of untreated or partially treated wastewater of any volume resulting from a sanitary sewer system failure or flow condition that either:

- Reaches surface water and/or drainage channel tributary to a surface water; or
- Reached a Municipal Separate Storm Sewer System (MS4) and was not fully captured and returned to the sanitary sewer system or otherwise captured and disposed of properly.

Category 2: Discharge of untreated or partially treated wastewater greater than or equal to 1,000 gallons resulting from a sanitary sewer system failure or flow condition that either:

- Does not reach surface water, a drainage channel, or an MS4, or
- The entire SSO discharged to the storm drain system was fully recovered and disposed of properly.

Category 3: All other discharges of untreated or partially treated wastewater resulting from a sanitary sewer system failure or flow condition.

SANITARY SEWER SYSTEM: Any publicly-owned system of pipes, pump stations, sewer lines, or other conveyances, upstream of a wastewater treatment plant headworks used to collect and convey wastewater to the publicly owned treatment facility. Temporary storage and conveyance facilities (such as vaults, temporary piping, construction trenches, wet wells, impoundments, tanks, etc.) are considered to be part of the sanitary sewer system, and discharges into these temporary storage facilities are not considered to be SSOs.

SENSITIVE AREA: Refers to areas where an SSO could result in a fish kill or pose an imminent or substantial danger to human health (e.g. parks, aquatic habitats, etc.)

SEWER SERVICE LATERAL: Refers to the piping that conveys sewage from the building to the City's wastewater collection system.

UNTREATED OR PARTIALLY TREATED WASTEWATER: Any volume of waste discharged from the sanitary sewer system upstream of a wastewater treatment plant headworks.

WATERS OF THE STATE*:* Waters of the State (or waters of the United States) means any surface water, including saline waters, within the boundaries of California. In case of a sewage spill, storm drains are considered to be waters of the State unless the sewage is completely contained and returned to the wastewater collection system and that portion of the

6.4. State Regulatory Requirements for Element 6, Overflow Emergency Response Plan

See Page one of Element 6 for the specific requirements for this Element..

6.5. Goals

The City's goals with respect to responding to SSOs are:

- Work safely;
- Respond quickly to minimize the volume of the SSO;
- Eliminate the cause of the SSO;
- Prevent sewage system overflows or leaks from entering the storm drain system or receiving waters to the maximum extent practicable;
- Contain the spilled wastewater to the extent feasible;
- Minimize public contact with the spilled wastewater;
- Mitigate the impact of the SSO;
- Meet the regulatory reporting requirements;
- Evaluate the causes of failure related to certain SSOs; and
- Revise response procedures resulting from the debrief and failure analysis of certain SSOs.

6.6. SSO Detection and Notification

ref. SWRCB Order No. 2006-0003-DWQ VI(a)

The processes that are employed to notify the City of the occurrence of an SSO include: observation by the public, receipt of an alarm, or observation by City staff or other public employees during the normal course of their work.

6.6.1. Public Observation

Public observation is the most common way that Concord is notified of blockages and spills. Contact numbers and information for reporting sewer spills and backups are in the phone book and on Concord's website: http://www.ci.concord.ca.us. **The City's telephone number for reporting sewer problems is (925) 671-3099.**

Normal Work Hours
When a report of a sewer spill or backup is made during normal work hours, City staff receives the call, takes the information from the caller, and communicates it to the field crew.

After Hours
Service calls are automatically forwarded to Police dispatch, which receives the call, takes the information from the caller, pages the on call crew, and communicates the necessary information to the on-call crew.

When calls are received, either during normal work hours or after hours, the individual receiving the call will collect the following information:

- Time and date of call
- Specific location of potential overflow or incident
- Nature of call
- In case of SSO, estimated start time of overflow and how long it has been occurring
- Caller's name, telephone number, and address
- Caller's observations (e.g., odor, duration, location on property, known impacts, indication if surface water impacted, appearance at cleanout or manhole)
- Other relevant information

The Figure 5 is an overview of receiving a sewage overflow or backup reporting procedures followed by the City.

Figure 5 Overview of Receiving a Sewage Overflow or Backup Report Procedure

Receive notification of Overflow/Backup

Business Hours
Monday-Friday 7:00am – 3:30pm
(925) 671-3099

Gather the following information:

- Time and date of call
- Specific location of potential problem
- Nature of call
- In case of SSO, estimated start time and duration of overflow
- Caller's name, telephone number and address
- Caller's observation (e.g., odor, duration, location on property, known impacts, indication if surface water impacted, appearance at cleanout or manhole)
- Other relevant information

Non-Business Hours:
(925) 671-3099
Voicemail will instruct callers to contact Police Dispatch, which will notify the on-call Sewer Section crew member

On-Call Sewer Section Crew Member:

1. Contact customer reporting the problem.
2. Gather caller's name, address of the problem, call back number, and any additional information.

Is the overflow/ backup in the service area?

NO

1. Provide Customer with the contact info for the responsible Agency.
2. Then notify the responsible Agency

YES

Is the spill inside a building or outside?

OUTSIDE

A Sewer Maintenance Crew will be dispatched to the scene and will complete the Sanitary Sewer Overflow Response Packet (Appendix C).

INSIDE

WHAT TO TELL THE CUSTOMER:
Clearly communicate who will respond, estimated time they will arrive and what area(s) will need to be accessed.

- Clearly communicate that a blockage in the sewer main line will be promptly cleared, but that the City is **not allowed to work on a blockage in the property owner's/resident's service lateral line.** Use general terms that the caller can understand, and give the caller your name for future reference.
- Show concern and empathy for the property owner/resident, **but do not admit or deny liability.**
- Instruct the caller to turn off any appliances that use water and to shut off any faucets inside the home.
- Instruct the caller to keep all family members and pets away from the affected area.
- Instruct the caller to place towels, rags, blankets, etc. between areas that have been affected and areas that have not been affected.
- Instruct the caller to not remove any contaminated items – *let the professionals do this.*
- Instruct the caller to turn off their HVAC system.
- Instruct the caller to move any **uncontaminated** property away from impacted areas.

A Sewer Maintenance Crew will be dispatched to the scene and will complete the Sanitary Sewer Backup Response Packet (Appendix B).

6.7. City (Concord) Staff Observations

City staff conducts periodic inspections of its and Clayton's sewer system facilities as part of their routine activities. Any problems noted with the sewer system facilities are reported to appropriate City staff that, in turn, responds to emergency situations. Work orders are issued to correct non-emergency conditions.

6.8. Contractor Observations

The following procedures are to be followed in the event that a contractor causes or witnesses a Sanitary Sewer Overflow. If the contractor causes or witnesses an SSO they will:

1. Immediately notify the City by calling (925) 671-3099
2. Protect storm drains
3. Protect the public
4. Provide Information to City Staff such as start time, appearance point(s), suspected cause, weather conditions, etc.
5. Direct ALL media and public relations requests to the Public Works Director.

The City has and distributes a handout for Contractors with a flowchart of the above procedures.

6.9. SSO Response Procedures

ref. SWRCB Order No. 2006-0003-DWQ Element 6(b)

6.9.1. Sewer Overflow/Backup Response Summary

The City will respond to SSOs as soon as feasible following notification of an overflow/backup or unauthorized discharge. The following (Figure 6) is an overview of the response activities.

Figure 6. Overview of SSO/Backup Response

Receive notification of Overflow/Backup or Unauthorized Discharge

Has the overflow impacted private property?

NO →

City Staff performs the following:

Follow the instructions on the Sanitary Sewer Overflow Packet (Appendix C):

- Notify Sr. Maintenance Team Leader or designee of the incident
- Relieve blockage and clean impacted areas
- Forward the completed Sanitary Sewer Overflow Packet to the Sr. Maintenance Team Leader or designee
- Sr. Maintenance Team Leader or designee: Perform required regulatory reporting in accordance with the Regulatory Notifications Packet (*inside the Sewer Overflow Packet)*

YES ↓

Is it possible that the overflow/ backup is due to a failure in the City-owned/maintained sewer lines?

YES →

City Staff performs the following:

Follow the instructions on the Sanitary Sewer Backup Packet (Appendix B):

- Notify Sr. Maintenance Team Leader or designee of the incident
- Relieve blockage and clean impacted areas
- Provide the customer the Customer Service Packet
- Forward the completed Sanitary Sewer Backup Packet to the Sr. Maintenance Team Leader or designee
- Sr. Maintenance Team Leader or designee: Perform required regulatory reporting in accordance with the Regulatory Notifications Packet (*inside the Sewer Backup Packet)*

↓

Sr. Maintenance Team Leader performs the following:

1. Review incident reports, claim form and other incident information and forward, as appropriate, to:
   Ciity Attorney's Office
   1950 Parkside Drive
   Concord, CA 94519
   Phone: (925) 671-3160
   Fax: (925) 671-3469
2. Communicate with claimant as appropriate
3. Communicate with the City Attorney's Office to adjust and administer the claim to closure

NO ↓

City Staff per[illegible] the following:

Follow the instructions on the Sanitary Sewer Backup Packet (Appendix B):

If customer is <u>not</u> home:

- Complete Door Hanger and leave on customer's door

If customer is home:

- Explain to customer that the blockage is in their lateral and that the City does not have legal authority to maintain or perform work on privately owned laterals.
- Recommend to customer they hire a contractor to clear their line.
- Give customer the Sewer Spill Reference Guide pamphlet.

6.9.2. First Responder Priorities

The first responder's priorities are:

- To follow safe work practices.
- To respond promptly with the appropriate and necessary equipment.
- To contain the spill wherever feasible.
- To restore the flow as soon as practicable.
- To minimize public access to and/or contact with the spilled sewage.
- To promptly notify the Sewer Maintenance Team Leader in event of major SSO.
- To return the spilled sewage to the sewer system.
- To restore the area to its original condition (or as close as possible).
- To photograph and document affected and unaffected areas from a spill.

6.9.3. Safety

The first responder is responsible for following safety procedures at all times. Special safety precautions must be observed when performing sewer work. There may be times when City personnel responding to a sewer system event are not familiar with potential safety hazards peculiar to sewer work. In such cases it is appropriate to take the time to discuss safety issues, consider the order of work, and check safety equipment before starting the job. This includes use of gas monitoring detectors for air quality in manholes and traffic controls at the site.

6.9.4. Initial Response

The first responder must respond to the reporting party/problem site and visually check for potential sewer stoppages or overflows.

The first responder will:

- Note arrival time at the site of the overflow/backup.
- Verify the existence of a public sewer system spill or backup.
- Determine if the overflow or blockage is from a public or private sewer.
- Identify and assess the affected area and extent of spill.
- Contact caller if time permits.
- If the spill is large or in a sensitive area, document conditions upon arrival with photographs. Decide whether to proceed with clearing the blockage to restore the flow or to initiate containment measures. The guidance for this decision is:
  - Small spills (i.e., spills that are easily contained) – proceed with clearing the blockage.
  - Moderate or large spill where containment is anticipated to be simple – proceed with the containment measures.
  - Moderate or large spills where containment is anticipated to be difficult – proceed with clearing the blockage; however, whenever deemed necessary, call for additional assistance and implement containment measures.

- Take steps to contain the SSO. Detailed procedures are contained in the Sanitary Sewer Backup Procedures and Sanitary Sewer Overflow Packet.

6.9.5. Initiate Spill Containment Measures

The first responder will attempt to contain as much of the spilled sewage as possible using the following steps:

- Determine the immediate destination of the overflowing sewage.
- Plug storm drains using air plugs, sandbags, and/or plastic mats to contain the spill, whenever appropriate. If spilled sewage has made contact with the storm drainage system, attempt to contain the spilled sewage by plugging downstream storm drainage facilities.
- Contain/direct the spilled sewage using dike/dam or sandbags.
- Pump around the blockage/pipe failure.

The Sanitary Sewer Overflow Packet of the OERP document contains the detailed procedures.

6.9.6. Restore Flow

Using the appropriate cleaning equipment, set up downstream of the blockage and hydro-clean upstream from a clear manhole. Attempt to remove the blockage from the system and observe the flows to ensure that the blockage does not reoccur downstream. If the blockage cannot be cleared within a reasonable time from arrival, or sewer requires construction repairs to restore flow, then initiate containment and/or bypass pumping. If assistance is required, immediately contact other employees, contractors, and equipment suppliers. The Sanitary Sewer Overflow Packet of the OERP document contains the detailed procedures.

6.9.7. Equipment

This section provides a list of specialized equipment that is required to support this Overflow Emergency Response Plan.

- *Closed Circuit Television (CCTV) Inspection Unit* – A CCTV Inspection Unit is required to determine the root cause for all SSOs from gravity sewers.

- *Camera* -- A digital or disposable camera is required to record the conditions upon arrival, during clean up, and upon departure.

- *Emergency Response Trucks* -- A utility body pickup truck, or open bed is required to store and transport the equipment needed to effectively respond to sewer emergencies. The equipment and tools will include containment and clean up materials.

- *Portable Generators, Portable Pumps, Piping, and Hoses* – Equipment used to bypass pump, divert, or power equipment to mitigate an SSO.

- *Combination Sewer Cleaning Trucks* -- Combination high velocity sewer cleaning trucks with vacuum tanks are required to clear blockages in gravity sewers, vacuum spilled sewage, and wash down the impacted area following the SSO event.

- *Air plugs, sandbags and plastic mats*
- *SSO Sampling Kits*
- *Portable Lights*

6.10. Recovery and Cleanup

ref. SWRCB Order No. 2006-0003-DWQ Element 6(e)

The recovery and cleanup phase begins immediately after the flow has been restored and the spilled sewage has been contained to the extent possible. The SSO recovery and cleanup procedures are:

6.10.1. Estimate the Volume of Spilled Sewage

City staff use the methods outlined in the Sanitary Sewer Backup Packet, Sanitary Sewer Overflow Packet, and/or the Field Guide to estimate the volume of the spilled sewage. Wherever possible, document the estimate using photos and/or video of the SSO site before and during the recovery operation.

6.10.1. Recovery of Spilled Sewage

Vacuum up and/or pump the spilled sewage and rinse water, and discharge it back into the sanitary sewer system.

6.10.2. Clean-up and Disinfection

Clean up and disinfection procedures will be implemented to reduce the potential for human health issues and adverse environmental impacts that are associated with an SSO event. The procedures described are for dry weather conditions and will be modified as required for wet weather conditions. Where cleanup is beyond the capabilities of City staff, a cleanup contractor will be used.

Private Property

City crews are responsible for the cleanup when the property damage is minor in nature and is outside of private building dwellings, such as in front, side and backyards, easements, etc. In all other cases, affected property owners can call a water damage restoration contractor to complete the cleanup and restoration. If the overflow into property is the definite cause of City system failure, the property owner can call out a water damage restoration contractor to complete the cleanup and restoration. In both cases, City claim forms may be issued if requested by the property owners.

Hard Surface Areas
Collect all signs of sewage solids and sewage-related material either by protected hand or with the use of rakes and brooms. Wash down the affected area with clean water and/or deozyme or similar non-toxic biodegradable surface disinfectant until the water runs clear. The flushing volume will be approximately three times the estimated volume of the spill. Take reasonable steps to contain and vacuum up the wastewater. Allow area to dry. Repeat the process if additional cleaning is required.

Landscaped and Unimproved Natural Vegetation
Collect all signs of sewage solids and sewage-related material either by protected hand or with the use of rakes and brooms. Wash down the affected area with clean water until the water runs clear. The flushing volume will be approximately three times the estimated volume of the spill. Either contain or vacuum up the wash water so that none is released. Allow the area to dry. Repeat the process if additional cleaning is required.

Natural Waterways
The Department of Fish and Wildlife will be notified by CalOES for SSOs greater than or equal to 1,000 gallons.

Wet Weather Modifications
Omit flushing and sampling during heavy storm events (i.e., sheet of rainwater across paved surfaces) with heavy runoff where flushing is not required and sampling would not provide meaningful results.

6.10.3. Public Notification

Signs will be posted and barricades put in place to keep vehicles and pedestrians away from contact with spilled sewage. County Environmental Health instructions and directions regarding placement and language of public warnings will be followed when directed. Additionally, the Senior Maintenance Team Leader will use his/her best judgment regarding supplemental sign placement in order to protect the public and local environment. Signs will not be removed until directed by County Environmental Health, Senior Maintenance Team Leader, or designee.

Creeks, streams and beaches that have been contaminated as a result of an SSO will be posted at visible access locations until the risk of contamination has subsided to acceptable background bacteria levels. The warning signs, once posted, will be checked at least every day to ensure that they are still in place. Photographs of sign placement will be taken.

In the event that an overflow occurs at night, the location will be inspected first thing the following day. The field crew will look for any signs of sewage solids and sewage-related material that may warrant additional cleanup activities.

When contact with the local media is deemed necessary, the Public Works Director or their designee will provide the media with all revelvant information.

6.11. Water Quality

ref. SWRCB Order No. 2006-0003-DWQ Element 6(f)

6.11.1. Water Quality Sampling and Testing

Water quality sampling and testing is required for Category 1 SSOs of 50,000 gallons or greater to determine the extent and impact of the SSO. The water quality sampling procedures must be implemented within 48 hours and include the following:

- The first responders will collect samples as soon as possible after the discovery and mitigation of the SSO event.
- The water quality samples will be collected from upstream of the spill, from the spill area, and downstream of the spill in flowing water (e.g. creeks). The water quality samples will be collected near the point of entry of the spilled sewage.
- The samples shall then be brought to the Central Contra Costa Sanitary District Laboratory.

6.11.2. Water Quality Monitoring Plan

The City Water Quality Monitoring Plan will be implemented immediately upon discovery of any Category 1 SSO of 50,000 gallons or more in order to assess impacts from SSOs to surface waters. The SSO Water Quality Monitoring Program will:

1. Contain protocols for water quality monitoring.
2. Account for spill travel time in the surface water and scenarios where monitoring may not be possible (e.g. safety, access restrictions, etc.)
3. Require water quality analyses for ammonia and bacterial indicators to be performed by an accredited or certified laboratory.
4. Require monitoring instruments and devices used to implement the SSO Water Quality Monitoring Program to be properly maintained and calibrated, including any records to document maintenance and calibration, as necessary, to ensure their continued accuracy.
5. Within 48 hours of the City becoming aware of the SSO, require water quality sampling for ammonia and total and fecal coliform.
6. Observe proper chain of custody procedures.

6.11.3. SSO Technical Report

The City will submit an SSO Technical Report to the CIWQS Online SSO Database within 45 calendar days of the SSO end date for any SSO in which 50,000 gallons or greater are spilled to surface waters. The City's Legally Responsible Official (LRO) will supervise the preparation of this report and will certify this report. This report, which does not preclude the Water Boards from requiring more detailed analyses if requested, shall include at a minimum, the following:

Causes and Circumstances of the SSO:

- Complete and detailed explanation of how and when the SSO was discovered.
- Diagram showing the SSO failure point, appearance point(s), and final destination(s).
- Detailed description of the methodology employed and available data used to calculate the volume of the SSO and, if applicable, the SSO volume recovered.
- Detailed description of the cause(s) of the SSO.
- Copies of original field crew records used to document the SSO.
- Historical maintenance records for the failure location.

City's Response to SSO:

- Chronological narrative description of all actions taken by the City to terminate the spill.
- Explanation of how the SSMP Overflow Emergency Response Plan was implemented to respond to and mitigate the SSO.
- Final corrective action(s) completed and/or planned to be completed, including a schedule for actions not yet completed.

Water Quality Monitoring:

- Description of all water quality sampling activities conducted including analytical results and evaluation of the results.
- Detailed location map illustrating all water quality sampling points.

6.12 Sewer Backup Into/Onto Private Property Claims Handling Policy

It is the policy of the City that a claims form shall be offered to anyone wishing to file a claim. The following procedures will be observed for all sewer overflows/backups into/onto private property:

- City (Concord) staff will offer a City claim form irrespective of fault whenever it is possible that the sanitary sewer backup may have resulted from an apparent blockage in the City-owned sewer lines or whenever a City customer requests a claim form. The claim may later be rejected if subsequent investigations into the cause of the loss indicate the City was not at fault.

- It is the responsibility of the Sewer Maintenance Crew to gather information regarding the incident and notify the Senior Maintenance Team Leader or his/her designee.

- It is the responsibility of the City Attorney's Office to review all claims and to oversee the adjustment and administration of the claim to closure.

6.13 Notification, Reporting, Monitoring and Recordkeeping Requirements

ref. SWRCB Order No. 2006-0003-DWQ Element 6(c)

In accordance with the Statewide General Waste Discharge Requirements for Sanitary Sewer Systems (SSS GWDRs), the City of Concord maintains records for each sanitary sewer overflow. Records include:

- Documentation of response steps and/or remedial actions
- Photographic evidence to document the extent of the SSO, field crew response operations, and site conditions after field crew SSO response operations have been completed. The date, time, location, and direction of photographs taken will be documented.
- Documentation of how any estimations of the volume of discharged and/or recovered volumes were calculated including all assumptions made.

Regulator required notifications are outlined Table 10.

Table 10 Regulator Required Notifications (Concord ("City") on behalf of Clayton)

ELEMENT	REQUIREMENT	METHOD
NOTIFICATION	Within two hours of becoming aware of any Category 1 SSO greater than or equal to 1,000 gallons discharged to surface water or spilled in a location where it probably will be discharged to surface water, the City will notify the California Office of Emergency Services (CalOES) and obtain a notification control number.	Call Cal OES at: **(800) 852-7550**
REPORTING	• Category 1 SSO: The City will submit draft report within three business days of becoming aware of the SSO and certify within 15 calendar days of SSO end date. • Category 2 SSO: The City will submit draft report within 3 business days of becoming aware of the SSO and certify within 15 calendar days of the SSO end date. • Category 3 SSO: The City will submit certified report within 30 calendar days of the end of	Enter data into the CIWQS Online SSO Database[1] (http://ciwqs.waterboards.ca.gov/)certified by the Legally Responsible Official(s)[2]. All information required by CIWQS will be captured in the Sanitary Sewer Overflow Report.

[1] In the event that the CIWQS online SSO database is not available, the Senior Maintenance Team Leader will notify SWRCB by phone and will fax or e-mail all required information to the RWQCB office at (510) 622-2460 in accordance with the time schedules identified above. In such an event, the City will submit the appropriate reports using the CIWQS online SSO database when the database becomes available. A copy of all documents that certify the submittal in fulfillment of this section shall be retained in the SSO file.

[2] The City always has at least one LRO. Any change in the LRO(s) including deactivation or a change to contact information, will be submitted to the SWRCB within 30 days of the change by calling (866) 792-4977 or emailing help@ciwqs.waterboards.ca.gov.

ELEMENT	REQUIREMENT	METHOD
	month in which SSO the occurred. • SSO Technical Report: The City will submit within 45 calendar days after the end date of any Category 1 SSO in which 50,000 gallons or greater are spilled to surface waters. • "No Spill" Certification: The City will certify that no SSOs occurred within 30 calendar days of the end of the month or, if reporting quarterly, the quarter in which no SSOs occurred. • Collection System Questionnaire: The City will update and certify every 12 months	Certified SSO reports may be updated by amending the report or adding an attachment to the SSO report within 120 calendar days after the SSO end date. After 120 days, the State SSO Program Manager must be contacted to request to amend an SSO report along with a justification for why the additional information was not available prior to the end of the 120 days.
WATER QUALITY MONITORING	The City will conduct water quality sampling within 48 hours after initial SSO notification for Category 1 SSOs in which 50,000 gallons or greater are spilled to surface waters.	Water quality results will be uploaded into CIWQS for Category 1 SSOs in which 50,000 gallons or greater are spilled to surface waters.
RECORD KEEPING	The City will maintain the following records: • SSO event records. • Records documenting Sanitary Sewer Management Plan (SSMP) implementation and changes/updates to the SSMP. • Records to document Water Quality Monitoring for SSOs of 50,000 gallons or greater spilled to surface waters. • Collection system telemetry records if relied upon to document and/or estimate SSO Volume.	Self-maintained records shall be available during inspections or upon request.

For reporting purposes, if one SSO event of whatever category results in multiple appearance points in a sewer system, a single SSO report is required in CIWQS that includes the GPS coordinates for the location of the SSO appearance point closest to the failure point, blockage or location of the flow condition that cause the SSO, and descriptions of the locations of all other discharge points associated with the single SSO event.

Currently the City of Concord will also submit draft reports on behalf of the City of Clayton until such time that the City of Clayton develops their own SSMP and registers the collection system with the SWRCB CIWQS System.

6.13.1. Complaint Records

The City maintains records of all complaints received whether or not they result in sanitary sewer overflows. These complaint records include:

- Date, time, and method of notification
- Date and time the complainant or informant first noticed the SSO or occurrence related to the call
- Narrative description describing the complaint
- A statement from the complainant or informant, if they know, of whether or not the potential SSO may have reached waters of the state
- Name, address, and contact telephone number of the complainant or informant reporting the potential SSO (if not reported anonymously)
- Follow-up return contact information for each complaint received (if not reported anonymously)
- Final resolution of the complaint with the original complainant
- Work service request information used to document all feasible and remedial actions taken

All complaint records will be maintained for a minimum of five years whether or not they result in an SSO. SSO records are kept under the direction and control of the Senior Maintenance Team Leader.

6.14 Post SSO Event Debriefing

ref. SWRCB Order No. 2006-0003-DWQ Element 6(d)

Every SSO event is an opportunity to evaluate the City response and reporting procedures. Each overflow event is unique, with its own elements and challenges including volume, cause, location, terrain, climate, and other parameters.

As soon as possible after Category 1 and Category 2 SSO events, the Infrastructure Maintenance Manager, and all of the participants, from the person who received the call to the last person to leave the site, will meet to review the procedures used and to discuss what worked and where improvements could be made in preventing or responding to and mitigating future SSO events. The results of the debriefing will be documented and tracked to ensure the action items are completed as scheduled.

6.15 Failure Analysis Investigation

ref. SWRCB Order No. 2006-0003-DWQ Element 6(d)

The objective of the failure analysis investigation is to determine the "root cause" of the SSO and to identify corrective action(s) needed that will reduce or eliminate future potential for the SSO to recur or for other SSOs to occur.

The investigation will include reviewing all relevant data to determine appropriate corrective action(s) for the line segment. The investigation will include:

- Reviewing and completing the Sanitary Sewer Overflow Report (contained in the Sanitary Sewer Overflow Packet) and any other documents related to the incident
- Reviewing the incident timeline and other documentation regarding the incident
- Reviewing communications with the reporting party and witness
- Reviewing volume estimate, volume recovered estimate, volume estimation assumptions and associated drawings
- Reviewing available photographs
- Interviewing staff that responded to the spill
- Reviewing past maintenance records
- Reviewing past CCTV records,
- Conducting a CCTV inspection to determine the condition of all line segments immediately following the SSO and reviewing the video and logs,
- Reviewing any Fats, Oils, Roots and Grease (FROG) related information or results
- Post SSO debrief records
- Interviews with the public at the SSO location

The product of the failure analysis investigation will be the determination of the root cause and the identification and scheduling of the corrective actions. The Collection System Failure Analysis Form (B-11 in Sanitary Sewer Backup Packet and C-5 in Sanitary Sewer Overflow Packet) will be used to document the investigation.

6.16 <u>SSO Response Training</u>

ref. SWRCB Order No. 2006-0003-DWQ Element 6(d)

This section provides information on the training that is required to support this Overflow Emergency Response Plan.

6.16.1. <u>Initial and Annual Refresher Training</u>

All City personnel who may have a role in responding to, reporting, and/or mitigating a sewer system overflow will receive training on the contents of this OERP. All new employees will receive training before they are placed in a position where they may have to respond. Current employees will receive annual refresher training on this plan and the procedures to be followed. The City will document all training.

Affected employees will receive annual training on the following topics by knowledgeable trainers:

- The City's Overflow Emergency Response Plan and Sanitary Sewer Management Plan
- Sanitary Sewer Overflow Volume Estimation Techniques
- Researching and documenting Sanitary Sewer Overflow Start Times
- Impacted Surface Waters: Response Procedures
- State Water Resources Control Board Employee Knowledge Expectations

- Employee Core Competency Evaluations on Sanitary Sewer Operations
- Water Quality Sampling Plan

The City will verify that annual safety training requirements are current for each employee, and that employees are competent in the performance of all core competencies. This will be verified through electronic testing, interviews and observations. The City will address, through additional training/instruction, any identified gaps in required core competencies.

Through SWRCB Employee Knowledge Expectations training the employee will be able to answer the following:

1. Please briefly describe your name and job title.
2. Please describe for us approximately when you started in this field and how long you have worked for your agency.
3. Please expand on your current position duties and role in responding in the field to any SSO complaints.
4. Please describe your SOPs used to respond/mitigate SSOs when they occur.
5. Describe any training your agency provides or sends you to for conducting spill volume estimates.
6. We are interested in learning more about how your historical SSO response activities have worked in the field. We understand from discussions with management earlier that you use the OERP from the SSMP. Please elaborate on how you implement and utilize the procedures in the plan.
7. Historically, before any recent changes, can you please walk us through how you would typically receive and respond to any SSO complaints in the field?
8. Can you tell us who is responsible for estimating SSO volumes discharged? If it is you, please describe how you go about estimating the SSO volume that you record on the work order/service request forms?
9. What other information do you collect or record other than what is written on the work order form?
10. Describe if and when you ever talk with people that call in SSOs (either onsite or via telephone) to further check out when the SSO might have occurred based on what they or others know? If you do this, can you tell us where this information is recorded?
11. We understand you may be instructed to take pictures of some sewer spills/backups into structures. Other than these SSOs, when else would you typically take any pictures of an SSO?
12. Please walk us through anything else you'd like to add to help us better understand how your field crews respond and mitigate SSO complaints.

6.16.2. SSO Response Drills

Periodic training drills or field exercises will be held to ensure that employees are up to date on these procedures, equipment is in working order, and the required materials are readily available. The training drills will cover scenarios typically observed during sewer related emergencies (e.g. mainline blockage, mainline failure, and lateral blockage). The results and the observations during the drills will be recorded and action items will be tracked to ensure completion.

6.16.3. SSO Training Record Keeping

Records will be kept of all training that is provided in support of this plan. The records for all scheduled training courses and for each overflow emergency response training event and will include date, time, place, content, name of trainer(s), and names and titles of attendees.

6.16.4. Contractors Working On City Sewer Facilities

All construction contractors working on or around City sewer facilities will be required to develop a project-specific OERP, will provide project personnel with training regarding the content of the contractor's OERP and their role in the event of an SSO, and to follow that OERP in the event that they cause or observe an SSO. Emergency response procedures shall be discussed at project pre-construction meetings, regular project meetings and after any contractor involved incidents. All service contractors will be provided, and required to observe contractor procedures. The City uses the standardized Contractor Orientation.

Element 7: Fats, Oils, and Grease Control Program

This element of the SSMP discusses the City's Fats, Oils, and Grease (FOG) control measures, including identification of problem areas, focused cleaning, and source control. This section fulfills the FOG Control Program requirements of the State Water Board.

State Water Board Requirement: Each Enrollee shall evaluate its service area to determine whether a FOG control program is needed. If an Enrollee determines that a FOG program is not needed the Enrollee must provide justification as to why it is not needed. If FOG is found to be a problem, the Enrollee must prepare and implement a FOG source control program to reduce the amount of these substances discharged to the sanitary sewer system. This plan shall include the following as appropriate:

a. An implementation plan and schedule for a public education outreach program that promotes proper disposal of FOG;
b. A plan and schedule for the disposal of FOG generated within the sanitary sewer system service area. This may include a list of acceptable disposal facilities and/or additional facilities needed to adequately dispose of FOG generated within a sanitary sewer system service area;
c. The legal authority to prohibit discharges to the system and identify measures to prevent SSOs and blockages caused by FOG;
d. Requirements to install grease removal devices (GRD) (such as traps or interceptors), design standards for the removal devices, maintenance requirements, best management practice (BMP) requirements, record keeping and reporting requirements;
e. Authority to inspect grease producing facilities, enforcement authorities, and whether the Enrollee has sufficient staff to inspect and enforce the FOG ordinance;
f. An identification of sanitary sewer system sections subject to FOG blockages and establishment of a cleaning maintenance schedule for each section; and
g. Development and implementation of source control measures for all sources of FOG discharged to the sanitary sewer system for each section identified in (f) above.

The goal of the FOG Control Program is to reduce the cost of maintenance associated with FOG or FROG and to reduce the number of blockages and SSOs caused by FOG discharged to the sewer collection system.

The FOG Control Program includes cleaning, inspection, enforcement, and education. The City of Concord contracts with CCCSD for portions of the inspection, enforcement, and education elements of this program in the maintenance services area as detailed in CMC Section 13.05.120 et seq. and various agreements and amendments since 1974.

7.1. Public Education and Outreach:

CCCSD has created pamphlets, posters, and brochures, and delivers them to customers at the time of inspection and by mail. Outreach is key to FOG Control because it promotes preventative measures to minimize grease in the collection system. The materials are designed to educate the public about improper grease disposal and to promote the use of Best Management Practices. CCCSD is continually updating and improving existing outreach materials and creating new documents that focus on specific issues of grease, grease traps, and grease interceptors.

Specific operation and maintenance documents are provided for grease traps and for grease interceptors. Other documents outline proper grease disposal techniques, describe the available pretreatment devices, explain the inspection process, and provide tips on water pollution prevention.

7.1.1. FOG Disposal:

CCCSD has a Waste Hauler Program that includes a list of permitted waste haulers that pay fees for disposal of FOG at their treatment plant or other agencies' plants that are available to process FOG waste. A multi-agency workgroup called CalFOG has slated a project to identify and maintain a list of all agencies within the various service areas that will accept FOG wastes. Waste haulers are required to identify the disposal facility of the hauled waste to the generator of the waste. More information may be found in the CCCSD SSMP, as well as on their website.

7.2. Inspection, Source Control, and Enforcement:

The City of Concord determines the need for and inspects new pretreatment facilities as they are constructed. The current inspection and source control program with CCCSD includes inspecting all FOG-producing facilities in Concord. That includes 245 vehicle service facilities, 359 food service facilities, 22 permitted industries, and 365 other facilities (assisted living, commercial, dental labs, dry cleaners, golf course, healthcare, janitorial services, laboratories, laundry, manufacturing, nurseries, paint shops, pest control, pool, property management, property owners, recycling, residential, retail, school/colleges, veterinary, warehouse). Also included in this inspection program are the 23 Notice of Intent (NOI) facilities that are located in Concord (e.g., BART, American Medical Response Inc., US Army Department of Defense, Systron-Donner, etc.), which are inspected annually, even though NOI facilities are permitted and regulated by the State Water Board.

CCCSD conducts FOG program compliance inspections to ensure compliance with ordinances and proper operation. All records associated with this responsibility are maintained by CCCSD and are available on request from the City. Compliance inspections involve:

- ✓ Recording the number of fixtures in the facility

- ✓ Checking the condition of the grease trap or interceptor
- ✓ Noting dates of cleaning
- ✓ Noting means of grease disposal or how oil is recycled

The frequency of inspections depends on a facility's location and compliance history. If a facility is found to be in compliance, then the next inspection will be in 4-5 years. A facility that is out of compliance will be inspected more frequently until CCCSD is satisfied with customer compliance. Inspections are normally carried out without warning the customer so that the inspectors may get an accurate view of normal operating conditions.

Warning Notices are issued for a minor ordinance violation or a condition that, if uncorrected, could result in a violation. A Notice of Violation (NOV) is issued for ordinance violations, failure to respond to a Warning Notice, or Violations of Permit Conditions. A facility must then propose a plan to achieve compliance. Facilities have 30 days to respond and 100 days to install a grease pretreatment device.

CCCSD's source control program is conducted in accordance with their Source Control Ordinance, Title 10, Section 10.05.120 et seq. which is available on-line at their website (www.centralsan.org).

The City of Concord and CCCSD have sufficient staff to inspect and enforce their respective responsibilities associated with FOG control ordinances. Those legal authorities are summarized Table 3-1 Legal Authority.

7.3. <u>Design Standards and GRD Installment Requirements:</u>

Users who are currently connected or who propose to connect to the City of Concord's collection system (including connections in Clayton or in the unincorporated portion of the County abutting the collection systems in Concord or Clayton) must obtain a connection permit from the City of Concord's Permit Center. At the Permit Center, staff from the Building Department will determine if a grease trap and/or grease interceptor is required in association with their connection. When it is determined that a grease pretreatment device is required, such as is typically the case for restaurants, City of Concord inspectors will ensure it is properly constructed, and that location will be added to the list of sites that CCCSD inspects as part of its commercial/industrial FOG compliance program. Both the City of Concord and CCCSD can cite users found to be in violation of their ordinances.

Pursuant to federal requirements, the CCCSD annually publishes, in the largest daily newspaper within the jurisdictional boundaries of the CCCSD, a list of the users who were in significant noncompliance with any pretreatment requirements or standards during the twelve previous months. That notification must also summarize enforcement actions taken against the user(s) during the same twelve months.

7.3.1. <u>FOG System Maintenance:</u>

City of Concord Sewer Section personnel have a vigorous and well-documented program of hydrocleaning sewer mains to remove FOG from the sewer collection system. They also televise sewer mains to identify problem areas and respond to service calls due to blockages and overflows. In a typical year these personnel will televise more than 60 miles of sewer mains and hydroclean more than 100 miles of sewer mains as part of a comprehensive preventive maintenance program. Problem mains are cleaned repeatedly each year. There are currently 28 main line segments (manhole to manhole) that are hydrocleaned on a weekly basis, 28 more that are cleaned on a monthly basis, and 480 segments that are on a quarterly cleaning schedule. Figure 7 below shows the locations of mains with FOG "problems".

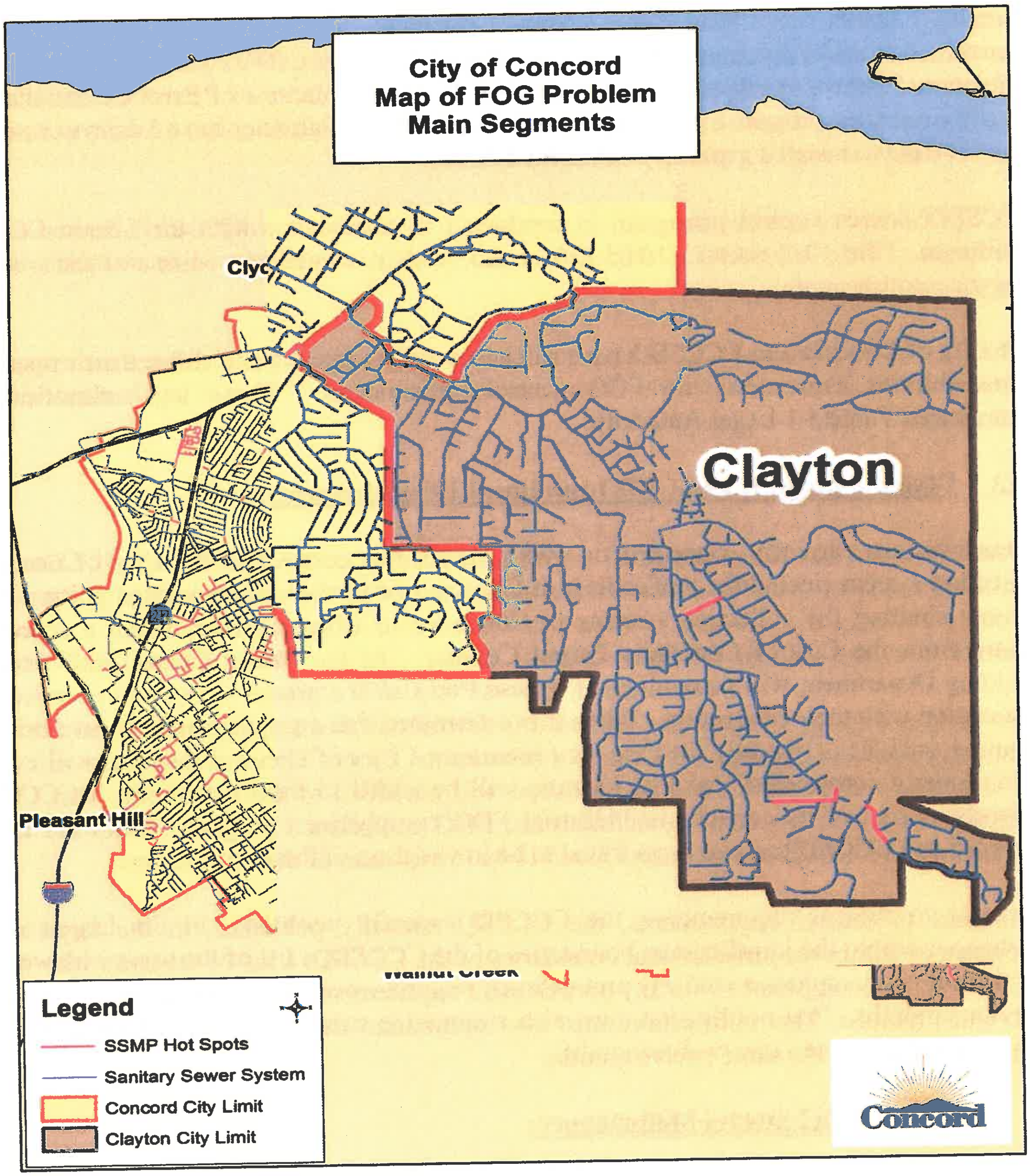


Figure 7. Concord Map of FOG Problems in Main Lines (includes Clayton)

Element 8: System Evaluation and Capacity Assurance Plan

This element of the SSMP describes the process established at the City of Clayton to assess the current and future capacity requirements of its collection system. This section fulfills the Capacity Management requirements of both the Regional Water Board and the State Water Board.

State Water Board Requirement: The Enrollee shall prepare and implement a capital improvement plan that will provide hydraulic capacity of key sanitary sewer system elements for dry weather peak flow conditions, as well as the appropriate design storm or wet weather event. At a minimum, the plan must include:

a. Evaluation: Actions needed to evaluate those portions of the sanitary sewer system that are experiencing or contributing to an SSO discharge caused by hydraulic deficiency. The evaluation must provide estimates of peak flows (including flows from SSOs that escape the system) associated with conditions similar to those causing overflow events, estimates of the capacity of key system components, hydraulic deficiencies (including components of the system with limiting capacity) and the major sources that contribute to the peak flows associated with overflow events.
b. Design Criteria: Where design criteria do not exist or are deficient, undertake the evaluation identified in (a) above to establish appropriate design criteria; and
c. Capacity Enhancement Measures: The steps needed to establish a short-and long-term CIP to address identified hydraulic deficiencies, including prioritization, alternatives analysis, and schedules. The CIP may include increases in pipe size, I/I reduction, increases and redundancy in pumping capacity, and storage facilities. The CIP shall include an implementation schedule and shall identify sources of funding.
d. Schedule: The Enrollee shall develop a schedule of completion dates for all portions of the capital improvement program developed in (a) – (c) above. This schedule shall be reviewed and updated consistent with the SSMP review and update requirements as described in Section D. 14.

8.1. Evaluation of Historical System Capacity Efforts:

Clayton sewage flows through Concord to the CCCSD Wastewater Treatment Plant and information on Concord's system capacity and efforts to ensure its adequacy are included in Element 8 of the Concord July 2014 SSMP. The 1991 agreement with the City of Concord also addresses capacity. The agreement notes that the parties believed in 1991 that there was adequate sewer line capacity in Concord's system to accommodate growth projections consistent with the then current Concord and Clayton General Plans in 1991. The agreement also includes a provision that if the sewer line capacity becomes inadequate due to development in Concord under a Concord General Plan revision, Concord shall be totally responsible for mitigating the consequent incapacity. Similarly, Clayton would be responsible if incapacity were the result of a Clayton General Plan revision.

The City of Concord has three permanently installed flow meters that, when combined, account for the total wastewater flow from Concord and Clayton to CCCSD. Those meters are calibrated and maintained by CCCSD meter technicians. One of these meters is located at a now decommissioned Pump Station, one is located on the east side of Walnut Creek Flood Control Channel north of March Drive just prior to the connection to CCCSD's system, and one is located on the Ford dealership property on Diamond Boulevard at Concord Avenue. All three meters continuously transmit real-time flow readings which are recorded on the chart recorders at the Pump Station and which are also transmitted to CCCSD for revenue purposes. Each chart holds one week of flow data. Historical flow record charts are on file at the Team Leader's office going back to when the Pump Station first began operating in 1976. Eighty percent of the combined flow of Concord and Clayton flowed through the meter at the Pump Station until the Pump Station was decommissioned in 2009. From 2003 - 2007, the average daily flow in the wettest month of the year (January) was 13.382 mgd, while the average daily flow during the driest month (September) was 10.070 mgd; this AWWF of only 1.33 times the ADWF was indicative of a tight system with respect to infiltration and inflow (I/I). CCCSD reports to Concord on the total system flows both for their treatment plant and for the three meters in the City of Concord on a fiscal year basis. By monitoring the flows through these meters, Concord can continue analyzing trends indicating I/I increases and reductions (expected outcome once the planned improvement projects are constructed), as well as showing the true impact of development in the catchment areas served by each of the three meters.

8.2. Design Criteria

The City's design criteria are discussed in Element 5 of the SSMP. The City uses the CCCSD design flow criteria since it was determined by RMC Water & Environmental ("RMC") that the CCCSD criteria more closely modeled the actual flows that were being experienced. On March 21, 2006, the Clayton City Council approved the use of CCCSD criteria for the evaluation of future flows for the Marsh Creek Road Specific Plan area, as noted in Element 5.

8.3. Capacity Enhancement Efforts:

In 2008, the City of Clayton Engineering Department, utilizing the technical reports provided by RMC, prepared the Marsh Creek Road Specific Area Sanitary Sewer Master Plan ("Master Plan") which found that portions of the existing collection system would be subject to surcharging and overflows upon build out of the Specific Plan area. The Master Plan consequently recommended a proposed alternative to provide adequate system capacity, but implementation of this phased "mitigation" project is not necessary until and if additional development is permitted and constructed in the Plan area.

8.4. Capital Improvement Program Schedule

Clayton will work with Concord to develop a schedule for the rehabilitation and replacement of pipelines that will be based upon the results of the condition assessment efforts by the CCTV crews utilizing a defined rating system that prioritizes necessary rehabilitation. The Concord Capital Improvement Program includes the annual expenditure of funds ($100,000) for the completion of the television evaluation of the entire collection systems of Concord and Clayton in the next three years. Clayton plans to begin negotiations with Concord soon to develop from existing sewer assessments, a set aside of funds for capital improvement projects in Clayton, the necessity and priority of which will be determined solely by Clayton.

Element 9: Monitoring, Measurement And Program Modifications

This element of the SSMP describes the process established by the City of Clayton to assess the accuracy and adequacy of each element of the SSMP. This section fulfills the Monitoring, Measurement and Program Modifications requirements of the State Water Board.

State Water Board Requirement: The Enrollee shall:

a. Maintain relevant information that can be used to establish and prioritize appropriate SSMP activities;
b. Monitor the implementation and, where appropriate, measure the effectiveness of each element of the SSMP;
c. Assess the success of the preventive maintenance program;
d. Update program elements, as appropriate, based on monitoring or performance evaluations; and
e. Identify and illustrate SSO trends, including: frequency, location, and volume.

9.1. Maintenance of Relevant Information on SSMP Activities

The City of Concord already tracks a number of sewer system performance metrics for Clayton and Concord through its GBA maintenance management system. Performance measures tracked in the GBA on a monthly basis include the length of sewer mains and sewer laterals cleaned, the number of SSOs in sewer mains, the number of SSOs in sewer laterals, the length of sewer mains and sewer laterals televised, sewer service requests and emergency calls received, USA marking requests and the number of repairs made to sewer mains and laterals. These results are analyzed monthly and discussed at length in the annual Year End Report prepared by the Infrastructure Maintenance Manager. The Annual Sewer System Report is provided to the Concord City Council each year in the Month of September and will be placed on Concord's Utilities Division web page for public information. Each Annual Report shall be added to Appendix B, Annual Reports at the end of this SSMP. Currently Concord reports all performance measures for the Concord and Clayton service area under the Concord WDID at the State. Clayton is currently in the process of applying for a separate State WDID number, since State staff members have indicated this should be done. In the future the City of Concord will consequently be required to report Clayton SSOs separately under this new, separate WDID number for Clayton. Concord should disaggregate the performance information now displayed in this Element of the SSMP, and provide distinct figures for Clayton SSOs, cleaning footage, video footage, i.e., all relevant performance measures. Indicators and statistics noted for the O&M, OERP, FOG Elements in particular should be provided by Concord to Clayton. In addition, Clayton is developing this separate SSMP as required by the WDR for systems with more that one mile of collection system lines.

Each year, during the budget development process for the upcoming fiscal year, the performance measures and tasks are analyzed for their effectiveness and efficiency, discussed with the Director of Public Works and the City Manager, and adjusted as deemed appropriate to better measure the performance of the Sewer Section operations.

By comparing the data from the annual reports, trends can be observed and corrective action taken, when so indicated, to shift the focus of preventive maintenance activities to correct any trends of concern and to assure the effectiveness of the SSMP.

The CIWQS SSOs electronic reports to the SWRCB can be downloaded, either individually or in summary report form. The individual SSO records contain all of the information reported, including the date of the SSO; its location, volume, cause, impacted area(s); and the volume recovered. The summary reports can be generated based on any period of time back to 2007, and show the total number of SSOs during the specified time period, the total volume of the SSOs, the total volume recovered, the total volume that reached surface waters, the percent recovered, the percent that reached surface waters, and the total number of SSOs per 100 miles of sewer system lines. These statistics can then be compared over various time periods (e.g., annually) to help evaluate the effectiveness of the preventive maintenance program and to help determine whether or not adjustments need to be made to the preventive maintenance activities and SSO response actions carried out by City personnel. The electronic reporting system also provides comparisons of SSO performance results in both the local area and across the State of California. These comparisons should be available along with the City's annual performance results.

In addition to analyzing the information already tracked in the GBA and the reports made to the State Water Board, the City will monitor the following performance indicators that can be documented and compared on an annual basis in the Sewer System Annual Report. These performance indicators were selected because they are straightforward, quantitative, and focused on results. The following table lists each SSMP element, its purpose, and specific performance indicators that will be tracked to evaluate the effectiveness of this SSMP.

Table 11 SSMP Monitoring Performance Indicators, by SSMP Element

SSMP Element	Summary of Element Purpose	Performance Indicators for Tracking Effectiveness
Goals	Establish priorities of City and provide focus for City staff	Annual review of goals based upon results of performance results.
Organization	Document organization of City staff and chain of communication for SSO response	Review of Organization Chart and all contact information making any changes identified
Legal Authority	Ensure the City has sufficient legal authority to properly maintain the system	Annual review of CMC Title 13 for revisions including schedule for identified updates.
Operations and Maintenance Program	Minimize blockages and SSOs by properly maintaining the system and keeping the system in good condition	▪ Total number and volume of SSOs ▪ Number of repeat SSOs (same location as any previous SSO) ▪ Number of lateral SSOs ▪ Number of main SSOs ▪ Total volume spilled ▪ Total recovered ▪ Percent reach surface water ▪ Number of pipe failures ▪ Total length of pipe CCTV'ed ▪ Total length of pipe hydrocleaned
Design & Construction Standards	Ensure new facilities area properly designed and constructed	Annual review of new technologies and materials for collection systems assets.
Overflow Emergency Response Plan	Provide timely and effective response to SSO emergencies and comply with regulatory reporting requirements	▪ Average response time ▪ Percent of total SSO volume contained or returned to sewer
Fats, Oils & Grease Control	Minimize blockages and overflows due to FOG	▪ Number of blockages due to FOG ▪ Number of overflows due to FOG ▪ Number of FOG producing facilities inspected

SSMP Element	Summary of Element Purpose	Performance Indicators for Tracking Effectiveness
Monitoring, Measurement, & Program Modifications	Evaluate effectiveness of SSMP, keep SSMP up-to-date, and identify necessary changes	▪ Prepare and update performance results in elements 4, 6 & 7. ▪ Conduct annual review of CIWQS data at the State.
Program Audits	Formally identify SSMP effectiveness, limitations, and necessary changes on an annual basis	▪ Date of completion of last annual audit
Communication Plan	Communicate with the public and satellite agencies.	Place audit on City webpage.

9.2. Measurement of SSMP Effectiveness and Plan Modifications:

The SSMP will need to be updated periodically to maintain current information, and programs will need to be enhanced or modified if they are determined to be less effective than needed as seen from the resulting performance metrics and as experienced by collection system crews in the field. The City will review the successes and needed improvements of the SSMP as part of the SSMP annual audit, described in Element 10. All modifications and changes will be identified in Appendix A, SSMP Change Log.

Concord staff will update critical information, such as contact numbers and the SSO response chain of communication, as needed. Every five years, the SSMP will be brought back to the City Council for approval regardless of changes made during the intervening period. Major changes to the SSMP will require Council consideration and approval earlier than five years.

9.3. SSO Trends and Historical Results

This 2014 SSMP represents the major changes made by the SWRCB Executive Officer order providing a new set on Monitoring and Reporting Program requirements as described earlier in this SSMP.

Table 12 Historical SSO Results Mains and Laterals Combined (Concord and Clayton)

YEAR	TOTAL	CAUSE							CAPTURE		
		Grease	Roots	Dust Pan	Pipe Fail	Vandalism/Cross Bore	Debris	Paper	100%	Partial	0 %
2008	25	10	12					3	22	2	1
2009	17	4	10	1	1		1		10	4	3
2010	13	5	7				1		11	2	
2011	19	8	8			1	2		16	1	2
2012	30	14	11			1	4		18	9	3
2013	30	10	9		1	1	1		7	11	4

Table 13 History of the Spill Volumes and Volumes Recovered (Concord and Clayton)

Calendar Year	Sanitary Sewer Overflows, each	Spill Volume, gallons	Volume Recovered, gallons	Percent Recovered
2008	26	1,313	1,100	83%
2009	18	1,955	1,280	65%
2010	13	1,335	1,220	91%
2011	20	4,555	4,185	91%
2012	30	9,070	7,704	84%
2013	30	21,472	11,910	55%
Total	**137**	**39,700**	**27,399**	**69%**

Table 14 Historical FOG Program Results (Concord and Clayton Combined)

	2008	2009	2010	2011	2012	2013
Number of SSOs caused by FOG	11	4	5	8	-	-
Number of FOG inspections completed	166	113	162	130	120	119
Number of enforcement actions taken	11	4	19	15	15	16

Element 10: Program Audits

This element of the SSMP describes the process established by the City to conduct periodic audits of its SSMP and to correct any deficiencies identified in those audits. This section fulfills the SSMP Audit requirements of the State Water Board.

State Water Board Requirement: As part of the SSMP, the Enrollee shall conduct periodic internal audits, appropriate to the size of the system and the number of SSOs. At a minimum, these audits must occur every two years and a report must be prepared and kept on file. This audit shall focus on evaluating the effectiveness of the SSMP and the Enrollee's compliance with the SSMP requirements identified in Subsection D. 13 of the GWDRs, including identification of any deficiencies in the SSMP and steps to correct them.

The City will complete audits of the SSMP biannually, and will annually include a Sewer System Annual Report of the performance results to the City Council at a public meeting and posted to the Sewer website. The audit will be performed using the attached Appendix 10-1 and which includes a review of each Element of the SSMP to ensure it contains up-to-date information, as well as a review of the SSOs for that year. Finally, the audit form also allows for identification and discussion of changes and modifications that result from the review of the effectiveness of the Element in meeting to goals of the SSMP and the SWRCB Waste Discharge Regulations.

Appendix 10-1

Annual SSMP Audit Form

City of Concord (& Clayton)
Sewer System
Management Plan
Annual Audit Report Form

The purpose of the SSMP Audit is to evaluate the effectiveness of the City of Concord's (City's) SSMP and to identify any needed improvements to assure the effective operation of the sanitary sewer collection system to achieve the goals of the SSMP.

Date of Audit: ________________

Audit Conducted by: ______________________________

Directions: **Please check** YES **or** NO **for each question. If** NO **is answered for any question, describe the updates/changes needed and the timeline to complete those changes.**

		YES	NO
ELEMENT 1 - GOALS			
A.	Have there been any changes to the system that require updates to the System Overview summary in the Introduction?	☐	☐
B.	Is Figure 1, Service Area and Geographic Features up-to-date?	☐	☐
C.	Have the boundaries of the City service area changed since the last Audit? If so, describe the changes.	☐	☐
D.	Have there been any changes in the regulations that should be identified and described in the Introduction?	☐	☐
E.	Are the goals stated in Element 1 still appropriate and accurate?	☐	☐
Discussion:			
ELEMENT 2 - ORGANIZATION			
A.	Is the List of City Staff Responsible for SSMP, Table 2-1 current?	☐	☐
B.	Is the Sanitary Sewer Overflow Responder List current?	☐	☐
C.	Is Figure 2-1 of the SSMP, the City Organization Chart, current?	☐	☐
D.	Are the position descriptions an accurate definition of staff responsibilities?	☐	☐
E.	Is Table 2-2 in the Chain of Communication for Reporting and Responding to SSOs section accurate and up-to-date?	☐	☐

F.	Is the list of LRO officials and data submitters in the CWIQS System current? Are all legally responsible officials and data submitters identified in the SSMP? Have all terminated officials been removed from the CIWQS System on the required timeline as required by the GWDR.	☐	☐
Discussion:			

ELEMENT 3 – LEGAL AUTHORITY			
Does the SSMP contain current references to the Concord Municipal Code, the Clayton Municipal Code and the Central Contra Costa Sanitary District Code documenting the City's legal authority to:			
A.	Prevent illicit discharges?	☐	☐
B.	Require proper design and construction of sewers and connections	☐	☐
C.	Ensure access for maintenance, inspection, or repairs for portions of the lateral owned or maintained b the City?	☐	☐
D.	Limit discharges of fats, oils and grease?	☐	☐
E.	Enforce any violation of its sewer ordinances?	☐	☐
F.	Were any changes or modifications made in the past year to City Sewer Ordinances, Regulations or standards? If so please state below..	☐	☐
G.	Are the sewer service charge provisions current and provide the authority for full funding of the sanitary sewer operations?	☐	☐
H.	Has there been documented and regular communications with other agencies such as City of Clayton and the Central Contra Costa Sanitary District in the past year? If so are these meetings and communications documented appropriately?	☐	☐
L.	Are all report forms used during sanitary sewer system cleaning and CCTV inspection current or require changes to mirror current operations?	☐	☐
M.	Have the Annual Pump Station Inspections been conducted and are necessary improvements scheduled and being implemented?	☐	☐
Discussion:			

ELEMENT 4 – OPERATIONS AND MAINTENANCE

Collection System Maps			
A.	Does the SSMP reference the current process and procedures for maintaining the City's wastewater collection system maps?	☐	☐
B.	Are the City's collection system maps complete, current and sufficiently detailed? Have all Clayton collection system modifications been identified and added or deleted from the GIS system? Are all versions of the City maps current?	☐	☐
C.	Are storm drainage facilities identified on the collection system maps? If not, are SSO responders able to determine locations of storm drainage inlets and pipes for possible discharge to waters of the state?	☐	☐
Prioritized Preventive Maintenance			
C.	Does the SSMP describe current preventive maintenance activities and the system for prioritizing the cleaning of sewers?	☐	☐
D.	Based upon information in the Annual SSO Report, are the City's preventive maintenance activities sufficient and effective in minimizing SSOs and blockages?	☐	☐
Scheduled Inspections and Condition Assessments			
E.	Is there an ongoing condition assessment program sufficient to develop a capital improvement plan addressing the proper management and protection of infrastructure assets? Are the current components of this program documented in the SSMP?	☐	☐
F.	Does the SSMP contain a prioritized capital improvement plan for future rehabilitation and replacement of the sanitary sewer system for the next five years? Is it current?	☐	☐
Contingency Equipment and Replacement Inventory			
G.	Does the SSMP list the major equipment currently used in the operation and maintenance of the collection system and documents the procedures for inventory management?	☐	☐
H.	Are contingency and replacement parts sufficient to respond to emergencies and properly conduct regular maintenance?	☐	☐
Training			
J.	Has all annual training been conducted as required?	☐	☐
Outreach to Plumbers and Building Contractors			
K.	Does the SSMP document current outreach efforts to plumbers and building contractors?	☐	☐
Discussion:			

ELEMENT 5- DESIGN AND PERFORMANCE STADARDS			
A.	Does the SSMP reference current design and construction standards for the installation for new sanitary sewer systems, pump stations and other appurtenances and for the rehabilitation and repair of existing sanitary sewer systems?	☐	☐
B.	Does the SSMP document current procedures and standards for inspecting and testing the installation of new sewers, pumps, and other appurtenances and the rehabilitation and repair of existing sewer lines? Have any changes to the standards been implemented since the last audit?	☐	☐
Discussion:			

ELEMENT 6 – OVERFLOW AND EMERGENCY RESPONSE PLAN			
A.	Does the City's Sanitary Sewer Overflow Emergency Response Plan establish procedures for the emergency response, notification, and reporting of SSOs? Have any changes in past practices been implemented since the last audit? If so please explain.	☐	☐
B.	Are City staff and contractor personnel appropriately trained and verified on the procedures of the Sanitary Sewer Overflow Emergency Response Plan?	☐	☐
C.	Considering SSO performance data, is the Sanitary Sewer Overflow Emergency Response Plan effective in handling SSOs in order to safeguard public health and the environment?	☐	☐
D.	Are all SSO and claims reporting forms current or do they require revisions or additions?	☐	☐
E.	Does all SSO event recordkeeping meet the GWDR requirements? Are all SSO event files complete and have they been certified in the CIWQS system?	☐	☐
F.	Is all information in the CIWQS system current and correct? Have periodic reviews of the data been made during the year to assure compliance with GWDR? Have all Technical Report and Water Quality Sampling requirements of the GWDR been uploaded to the CIWQS data management system?	☐	☐
G.	Are all SSO Response Procedure Flow Charts current and have all contact information been checked and certified correct?	☐	☐
H.	Were all large SSOs evaluated for "root cause" and did they identify corrective actions required to assure reductions or elimination of future SSOs? Were post SSO debriefing events held with appropriate staff and all responders?	☐	☐

I.	Were all Technical Reports and Water Quality Monitoring results of SSOs greater than 50,000 gallons submitted to the CIWQS System according to the required timeline?	☐	☐
J.	Were all No Spill Certifications provided as required by the WDR regulations completed and certified in CIWQS? Was the Annual Collection System Questionnaire completed?	☐	☐
K.	Are all SSO records complete and maintained for five-years from the date of the SSO? Have all files older than five years been disposed of according to City records management system and Regional Board requirements or directions?	☐	☐
L.	Is staff properly trained on appropriate methods for spill volume estimation and start time requirements for all SSOs? Has this training been documented appropriately?	☐	☐
Discussion:			
ELEMENT 7 – FATS, OILS AND GREASE (FOG) CONTROL PROGRAM			
A.	Does the FOG Control Program include efforts to educate the residential customers on proper handling and disposal of FOG?	☐	☐
B.	Does the FOG Control Program identify sections of the collection system subject to FOG blockages, establish a cleaning schedule and address source control measures to minimize these blockages?	☐	☐
C.	Are requirements for grease removal devices, best management practices (BMP), record keeping and reporting established in the City's and CCCSD FOG Control Program?	☐	☐
D.	Does the City have sufficient legal authority to implement and enforce the FOG Control Program? Are all enforcements effective and resulting in appropriate compliance with requirements?	☐	☐
E.	Is the current FOG program effective in minimizing blockages of sewer lines resulting from discharges of FOG to the system	☐	☐
Discussion:			
ELEMENT 8- SYSTEM EVALUATION AND CAPACITY ASSURANCE PLAN			
A.	Does the City of Concord Sanitary Sewer Master Plan evaluate hydraulic deficiencies in the system, establish sufficient design criteria and recommend both short and long term capacity enhancement and improvement projects and schedules?	☐	☐
B.	Does the City's Capital Improvement Plan (CIP) establish a schedule of approximate completion dates for both short and long-term improvements and is the schedule reviewed and updated to reflect current budgetary capabilities and accomplishments?	☐	☐

Discussion:			
ELEMENT 9- MONITORING, MEASUREMENT, AND PROGRAM MODIFICATIONS			
A.	Does the SSMP accurately portray the methods of tracking and reporting selected performance indicators?	☐	☐
B.	Is the City able to sufficiently evaluate the effectiveness of the SSMP elements based on relevant information?	☐	☐
Discussion:			
ELEMENT 10 – SSMP AUDITS			
A.	Was the SSMP Audit completed, reviewed and filed in Appendix B?	☐	☐
B.	Have the collection system performance results been provided to the City Council and the public annually? Are the results available on the City website?	☐	☐
C.	Have the performance results been evaluated for specific changes to meet targeted goals for SSO reduction? Have changes in procedures been implemented to enhance the City sanitary sewer operations?	☐	☐
D.	Has the Change Log been updated with all changes made to the SSMP during the past year?		
E.	Do City SSO performance results agree with all CIWQS information?		
Discussion:			
ELEMENT 11 – COMMUNICATION PROGRAM			
A.	Does the City effectively communicate with the public and other agencies about the implementation and performance results of the SSMP and continue to address any feedback?	☐	☐
B.	Did the City Council receive and review the Annual Sewer System Report? Was the annual report uploaded to the City Sewer Section website and added to Appendix B?	☐	☐
C.	Did City staff conduct and document meetings with treatment systems, the City of Clayton and FOG Pretreatment Program agency? Are all agreements current or are changes necessary to these agreements?	☐	☐
Change Log			

A.	Is the SSMP Change Log, current and up to date?	☐	☐
Discussion:			

Prepared By:____________________ Reviewed By:____________________

Approved for Filing on:______________________________(date)

Element 11: Communications Program

This element of the SSMP describes the process established by the City of Clayton to communicate with the public on the development, implementation, and performance of the SSMP. This section fulfills the SSMP Communications Plan requirements of the State Water Board (Element 11).

> **SWRCB Requirement**: The Enrollee shall communicate on a regular basis with the public on the development, implementation, and performance of its SSMP. The communications system shall provide the public the opportunity to provide input to the Enrollee as the program is developed and implemented.
>
> The Enrollee shall also create a plan of communication with systems that are tributary and/or satellite to the Enrollee's sanitary sewer system.

The original SSMP is scheduled to be considered and approved by the Clayton City Council at a City Council meeting on October 7, 2014. This SSMP includes substantial changes made by the SWRCB to the Monitoring and Reporting Requirements effective on September 9, 2013.

The City of Concord maintains a website (http://www.ci.concord.ca.us/) to inform the public about City (Concord and Clayton) collection system activities. The City's website is an effective communication channel for providing alerts and news to the public. The main page of the website provides important announcements, agendas and minutes for City Council meetings, and other key information for City residents. Once the Concord SSMP is adopted by City Councils, there will be a link on the City website, under the Public Works Department, Sewer Collection System that will connect to Concord's SSMP and other sanitary sewer related information including the State CIWQS SSO reporting system. Clayton will also provide a link to this SSMP on its website at http://www.ci.clayton.ca.us/. Concord will also use its website to notify the public of important upcoming activities related to sewer system operations and management.

As a tributary system to CCCSD's sewage treatment plant, Concord has regular communications with CCCSD and the City of Clayton. This includes discussions with CCCSD's Source Control staff on the FOG program which Concord pays CCCSD to perform; attending key CCCSD Board meetings and providing input on issues of common interest; as well as an annual meeting with CCCSD's General Manager and key management staff to discuss issues of mutual importance. These topics include joint projects, the Concord Naval Weapons Station (NWS) Reuse Plan, ensuring sufficient capacity is available to manage the City of Concord's and Clayton's flows, flow modeling to determine how new flows from development projects will be accommodated in the City's system, and associated ownership of the system. Additional topics include discussion of collection system administration and management; NPDES permit regulations, mutual aid, sewer laterals, pretreatment, pollution prevention, and the household hazardous waste program. CCCSD, which conducts the FOG program under contract to the City of Concord, has created pamphlets, posters, and brochures, and delivers them to customers at the time of inspection and by mail. These outreach materials are also available on CCCSD's website at http://www.centralsan.org/index.cfm?navId=151 and http://www.centralsan.org/index.cfm?navId=152 000. Outreach is key to FOG Control because it promotes preventive measures to minimize grease in the collection system. The materials are designed to educate the public about improper grease disposal and to promote the use of Best Management Practices. CCCSD is continually updating and improving existing outreach materials and creating new documents that focus on specific issues of grease, grease traps, and grease interceptors. The Sewer Collection System web page also includes direct links to CCCSD as well as information for residential and commercial customers on sewer system operations.

Concord also conducts regular meetings with appropriate staff members of the City of Clayton to assure clear understanding of the operations and maintenance program conducted on Clayton's behalf pursuant to the service agreement between the agencies, review of rehabilitation project needs, system expansions in the Clayton system, changes that would affect design and construction standards related to new collection system infrastructure and changes to rules and regulations impacting system operations. All meetings are documented with agendas and attendance sheets and filed in the City of Concord Public Works offices.

Appendix A

Log of SSMP Changes

City of Clayton
Log of SSMP Changes

Date	SSMP Section #	Description of Change/Revision Made	Person Authorizing Change
August 2014	**Elements 1 to 11 and new Appendices**	**Complete development of the entire SSMP to comply with new Monitoring and Reporting requirements, completed by Humphrey Consulting**	**Rick Angrisani**

Appendix B

Sewer System Audits and Annual Reports

Appendix C

Sanitary Sewer Management Plan Formal Adoption Documents

Agenda Date: 10-7-2014
Agenda Item: 8b

CITY OF CLAYTON
Founded 1857.. Incorporated 1964

STAFF REPORT

Approved:

Gary A. Napper
City Manager

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: RICK ANGRISANI, CITY ENGINEER

DATE: OCTOBER 7, 2014

SUBJECT: INTRODUCTION AND FIRST READING OF CITY-INITIATED ORDINANCE NO. 456 AMENDING CHAPTERS 13.06 AND 13.08 OF THE CLAYTON MUNICIPAL CODE AND ADOPTING BY REFERENCE CONCORD MUNICIPAL CODE CHAPTER 13.05 AND CENTRAL CONTRA COSTA SANITARY DISTRICT CODE TITLE 10 REGARDING SEWER SERVICES AND REGULATIONS.

RECOMMENDATION

Receive public comments, move to have City Clerk read Ordinance No. 456 by title and number only and waive further reading; by motion, approve Ordinance No. 456 for introduction with findings that the action does not constitute a project under CEQA, set a public hearing on November 4th for adoption of the ordinance and direct the City Clerk to publish notice of the public hearing.

BACKGROUND

As part of the preparation of the Sewer System Management Plan, staff and legal counsel reviewed Chapters 13.06 and 13.08, "Source Control" and "Sewerage", respectively, of the Clayton Municipal Code.

Both Chapters were found to be extremely outdated (Chapter 13.06 was adopted in 1992 and Chapter 13.08 was adopted at the time of incorporation of the City in 1964). In fact, Chapter 13.08 made no reference to a sanitary sewer system as the City was almost entirely on individual septic systems in 1964.

Our Assistant City Attorney has prepared the attached ordinance which brings the Municipal Code up to date and incorporates by reference the City of Concord Municipal Code Section 13.05 relating to the sewer system.

Attachment: Draft Ordinance No. 456
Notice of Public Hearing

ORDINANCE NO. 456

AN ORDINANCE AMENDING CHAPTER 13.06 AND CHAPTER 13.08 OF THE CLAYTON MUNICIPAL CODE ADOPTING BY REFERENCE CONCORD MUNICIPAL CODE CHAPTER 13.05 AND CENTRAL CONTRA COSTA SANITARY DISTRICT CODE TITLE 10 CONCERNING MUNICIPAL SEWER SERVICES AND REGULATIONS

THE CITY COUNCIL
City of Clayton, California

WHEREAS, the City of Clayton executed that Agreement dated December 18, 1991 ("Sewer Agreement") with the City of Concord ("Concord") for the operation and maintenance of Clayton's municipal sewer system and associated services; and

WHEREAS, under the Sewer Agreement, the City contracts with Concord for sewer services; and

WHEREAS, Section 3 of the Sewer Agreement requires the City to comply with Article V, Chapter 2 of the Concord Municipal Code ("Concord Sewer Ordinance"), as it may be amended in the future; and

WHEREAS, the Concord Sewer Ordinance is currently located in Chapter 13.05 of the Concord Municipal Code; and

WHEREAS, the City Council wishes to include the relevant, substantive provisions of the Concord Sewer Ordinance in the Clayton Municipal Code to ensure that all City sewer users and residents comply with the Sewer Agreement and Concord Sewer Ordinance; and

WHEREAS, this Ordinance does not impose or increase any sewer connection, service or other fees or charges presently being levied and/or assessed; and

WHEREAS, this Ordinance is not subject to the procedural requirements contained in Proposition 218 and other applicable law for imposing or increases fees and charges; and

WHEREAS, this Ordinance adopts the Concord Sewer Ordinance and Title 10 of the Central Contra Costa Sanitary District code by reference; and

WHEREAS, the City Council provided notice and held a public hearing prior to the adoption of this Ordinance as required by Government Code § 50022.1 et seq.

THE CITY COUNCIL OF THE CITY OF CLAYTON DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The above recitals are hereby incorporated into this Ordinance.

Section 2. Chapter 13.06 of the Clayton Municipal Code is amended to read in full as set forth in the attached Exhibit A, incorporated by this reference.

Section 3. Chapter 13.08 of the Clayton Municipal Code is amended to read in full as set forth in the attached Exhibit B, incorporated by this reference.

Section 4. Severability

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more section, subsection, sentence, clause or phrase thereof be declared unconstitutional, invalid or ineffective.

Section 5. CEQA

Pursuant to California Environmental Quality Act (CEQA) Guideline 15061(b)(3) it can be seen with certainty that there is no possibility that this amendment to the Clayton Municipal Code may have a significant effect on the environment, and therefore it is not subject to CEQA.

Section 6. Effective Date and Publication

This Ordinance shall become effective thirty (30) days after its adoption by the city council. This Ordinance shall be published or posted as required by law.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Clayton held on the 7th day of October, 2014.

PASSED, ADOPTED AND ORDERED posted at a regular meeting of the City Council of the City of Clayton on the ___th day of ________ 2014, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

The City Council of Clayton, California

____
Hank Stratford, Mayor

ATTEST:

____
Janet Brown, City Clerk

APPROVED AS TO FORM:

APPROVED AS TO ADMINISTRATION:

____
Malathy Subramanian, City Attorney

____
Gary A. Napper, City Manager

I hereby certify that the foregoing Ordinance was duly introduced at a regular meeting of the City Council of the City of Clayton held on the 7th day of October, 2014, and was duly adopted and ordered posted at a regular meeting of the City Council held on the ___th day of ________, 2014.

____
Janet Brown, City Clerk

EXHIBIT A

Chapter 13.06

Source Control (Pretreatment)

13.06.010 General Provisions.

A. Administration by sanitary district. The city contracts with the City of Concord ("Concord") for sewer services. Under the parties' agreement, sewage treatment services are provided by the Central Contra Costa Sanitary District ("District"). Since the operation of the District's facilities can be affected by sewage deposited into the city sewage treatment system, especially by industrial users, and the District has the personnel and expertise to undertake the administration of industrial discharges, the city hereby delegates to District the authority to administer this section as indicated.

B. Applicability of District requirements. Domestic sewage may be discharged into the sewer system without screening. All industrial waste shall meet the requirements of Title 10 of the District's code.

C. Screening and pretreatment devices. The District may require, either before or after connection of any premises to the sewer system, that the owner or occupant install suitable screening and pretreatment devices on such premises to prepare industrial waste so that the sewer system can adequately treat such waste by the normal treatment processes of the sewer system. The District may also require, at any time, that approved mechanical measuring and recording devices be installed on any premises. All such screening, pretreatment, measuring, and recording devices shall be installed at the sole expense of the owner or occupant of such premises and subject to the approval of the District. The District shall have the right, at any time, to check the operation of any such screening, pretreatment, measuring, or recording device and to read and make records of all readings of any such measuring or recording device. In any case where any such screening or pretreatment device is installed, the owner or occupant of such premises shall, at his own expense, remove and dispose of all waste material retained upon the screens and/or not approved by the District for disposal through the sewer system.

D. Prohibited and restricted discharges. No person shall discharge, or cause to be discharged, the following substances into the sewer system:

1. Any liquids, solids, or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the city's, Concord's or the District's facilities or personnel or to the operation of the city's, Concord's or the District's facilities. At no time shall two successive readings on an explosion hazard meter, at the point of discharge into the system (or at any point in the system), be more than five percent nor any single reading over ten percent of the lower explosive limit (LEL) of the meter. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes,

peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides, any other substances which the District, the state, or the EPA has notified the user is a fire hazard or a hazard to the system;

2. Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities, such as, but not limited to: grease, garbage with particles greater than one-half inch in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, wastepaper, wood, plastics, gas, tar, asphalt residues, residues from refining or processing, or fuel, or lubricating oil, mud, or glass grinding or polishing wastes;

3. Any wastewater having a pH less than 5.5 or equal to or greater than 11.5, or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment, and/or personnel of the city, Concord or the District.

4. Any wastewater containing hazardous pollutants in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to human or animal health or safety, create an adverse effect on the waters of the State, or exceed the limitations set forth in a national pretreatment standard;

5. Any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repair;

6. Any substance which may cause the treatment plant's effluent or any other product of the treatment plant, such as residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the District's facilities cause the plant to be in noncompliance with sludge use or disposal criteria, guidelines, or regulations developed under section 405 of the Federal Water Pollution Control Act, a/k/a Clean Water Act (33 USC 1251 et seq.) on file at the District office;

7. Any substance which will cause the treatment plant to violate its NPDES permit or the receiving water quality standards;

8. Any wastewater with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions;

9. Any wastewater having a temperature which will inhibit biological activity in the treatment plant resulting in interference, but in no case wastewater with a temperature at the introduction into the plant which exceeds 40 degrees Celsius (104 degrees Fahrenheit), unless the treatment plant is designed to accommodate such temperature, or with a temperature at the point of discharge to the city's, Concord's or the District's collection system which exceeds 65 degrees Celsius (150 degrees Fahrenheit);

10. Any pollutants, including oxygen-demanding pollutants (BOD, etc.) released at a flow rate and/or pollutant concentration which a user knows or has reason to know will cause interference to the treatment plant. In no case shall a slug load have a flow rate or contain concentrations or qualities of pollutants that exceed, for any time period longer than 15 minutes,

more than five times the average 24-hour concentration, quantities, or flow during normal operation;

11. Any wastewater containing any radioactive wastes or isotopes exceeding any limits set forth in 10 CFR 20.2003;

12. Any wastewater which causes a hazard to human life or creates a public nuisance;

13. Non-wastewater:

a. Any stormwater, groundwater, rain water, street drainage, subsurface drainage, yard drainage, swimming pool or spa water and/or diatomaceous earth filter backwash, unless a specific permit is issued by the District. The District may approve such discharge only when no reasonable alternative is available or such water is determined to constitute a pollution hazard if not discharged to the sewer;

b. If approval is granted for the discharge of such water into the sewer system, the user shall pay the applicable wastewater service charges and fees and meet such other conditions that may be required by the District;

14. Any unpolluted water, including but not limited to cooling water, process water, or blow-down from cooling towers or evaporative coolers, or any other unpolluted water, without written approval of the District. The District may approve the discharge of such water only when no reasonable alternative method of disposal is available or such alternative, in the determination of the District, is unacceptable;

15. Any septic tank sludge, holding tank waste, portable toilet waste, grease interceptor waste, or sand oil interceptor waste unless a permit is issued by the District;

<u>13.06.010 Adoption and enforcement of District's Source Control (Pretreatment) Ordinance and local discharge limits</u>.

A. Adoption. Pursuant to the provisions of Government Code § 50022.1 et seq., there is hereby adopted, by reference, the provisions of Title 10 of the Central Contra Costa County Sanitary District Code, entitled "Source Control (Pretreatment)," consisting of sections 10.04 through 10.32 inclusive as adopted on October 2, 2008, and the local discharge limits of the Central Contra Costa County Sanitary District which became effective September 1, 2007. The District is authorized to enforce the provisions of Title 10 and the local discharge limits within the city to the same extent that said ordinance and discharge standards are enforced within the District.

B. Enforcement.

1. Enforcement mechanisms.

a. It is the intent of this enforcement section to provide adequate mechanisms to achieve a maximum degree of compliance with Title 10 of the District's code by all users. These enforcement provisions apply to all classes of users to the extent such user violates any provision of Title 10 or administrative order of the District pursuant to Title 10. In order to achieve the maximum degree of compliance desired, the District will use a variety of enforcement mechanisms. The enforcement mechanisms set forth range from informal administrative action to formal criminal prosecution. The District may, in its discretion, implement the use of any mechanism or the concurrent use of several mechanisms in order to enforce the provisions of the District's Source Control (Pretreatment) Ordinance. The enforcement mechanisms provided herein may be cumulative in respect to such other enforcement mechanisms or civil and criminal penalties as may be otherwise available under the laws of the state and the United States of America. Nothing in the District's Source Control (Pretreatment) Ordinance is intended to prevent state and/or federal regulatory agencies from undertaking enforcement actions as may otherwise be available due to a violation of the District's Source Control (Pretreatment) Ordinance which also constitutes a violation of federal or state statutes and regulations, such as: (1) the Clean Water Act (33 USCA section 1251 et seq.), (2) the California Porter-Cologne Water Quality Act (Water Code § 13000 et seq.), (3) the California Hazardous Waste Control Law (Health and Safety Code §§ 25100--25250, (4) the Resource and Conservation and Recovery Act (42 USCA section 6901 et seq.), and (5) Government Code §§ 54739--54740.6. The referenced state and federal laws, along with other pertinent laws, provide authority for the District's enforcement mechanisms.

b. The enforcement mechanisms available to the District for violations of the provisions of the District's Source Control (Pretreatment) Ordinance, applicable District resolutions and permit or permit contract provisions include the following:

(1) Informal administrative action (including notice of violations and warning notices).

(2) Administrative orders.

(3) Institution of sampling and evaluation programs, enforcement compliance schedule agreements, and related administrative orders.

(4) Assessment of charges for obstruction or damage to District facilities or operations.

(5) Suspension or termination of services.

(6) Administrative complaints for administrative civil penalties.

(7) Civil action.

(8) Criminal action.

2. Informal administrative actions. District staff may, on an informal basis, take action against a discharger for minor violations or technical or clerical shortcomings of a user or a user's compliance submittals. These informal administrative actions may include informal notices (i.e., telephone calls to the user's representative), a notice of violation (NOV), and informal meetings or informal warning letters. These informal administrative actions may establish a compliance schedule for the discharger to follow in order to document compliance. Such action will not prevent a subsequent or concurrent imposition of other enforcement mechanisms.

3. Administrative orders and compliance schedules.

a. When the District finds that a user has violated the prohibitions or requirements of the District's Source Control (Pretreatment) Ordinance, or the provisions of a wastewater discharge permit or wastewater discharge permit contract, the District may issue an administrative order directed at those users not complying with such prohibitions, limitations, requirements, or provisions to (1) cease to discharge immediately (suspension of service); (2) comply with requirements immediately; or (3) make such changes to their pretreatment facility and procedures immediately as to insure full compliance.

b. At its discretion, the District may later issue, after the issuance of the administrative order set forth above, an additional administrative order containing a compliance schedule or a time schedule setting forth dates by which specific corrective actions must be completed.

4. Sampling and evaluation (S&E) programs.

a. Grounds for instituting S&E programs. In addition to those grounds set forth in section 10.12.060.A.6 of the District's Source Control (Pretreatment) Ordinance, grounds for instituting an S&E program include compliance sampling or District sampling indicating a significant noncompliance (SNC). The S&E program may consist of District sampling of the discharger's wastewater at the first opportunity convenient to the District, upon which daily samples may be taken each day for up to five days. The District or outside laboratory will analyze these samples for the violating constituents and provide notice to the discharger in regard to the results of said sampling. Violations which may occur during the S&E program shall constitute subsequent violations under the District's Source Control (Pretreatment) Ordinance or under any applicable law.

b. S&E program revealing noncompliance. If the S&E program reveals noncompliance by the user with the prohibitions or specific pollutant limitations specified in the District's Source Control (Pretreatment) ordinance or in the user's permit or permit contract:

(1) The user may be assessed all costs incurred during the S&E program for sampling and analysis, including labor, equipment, materials, outside services, and overhead.

(2) The District may place the user on a compliance schedule or undertake another S&E program. The compliance schedule shall provide for minimum required actions to be undertaken by the discharger to alleviate the violation and a schedule for completion of said actions. The compliance schedule may include interim constituent level maximums. All violations of constituent maximums or other requirements set forth in the compliance schedule, including failure to meet schedule dates, shall constitute violations of the District's Source Control (Pretreatment) Ordinance and other applicable laws, and each day a discharger fails to meet a schedule date shall constitute a separate violation. Any constituent limit violation during the compliance schedule period shall provide grounds for the institution of an additional S&E program.

(3) The District may amend an existing permit through an enforcement compliance schedule agreement (ESCA). This may be done after consultation with the user when the user has shown good faith in trying to comply but requires additional time for construction and/or acquisition of equipment related to pretreatment. The permit may be amended with the ESCA for a period of up to 180 days; however, this period may be extended for a period not to

exceed an additional 180 days upon determination by the General Manager/Chief Engineer of the District that good cause exists for an additional period. No further extensions shall be granted except upon approval of the District Board of Directors.

(4) Any other enforcement mechanism set forth in the District's Source Control (Pretreatment) Ordinance or other applicable law may be commenced.

c. Continued noncompliance after S&E program or ESCA. If a discharger remains in noncompliance because corrective action is not taken within a reasonable time after completion of an S&E program or the expiration of an ESCA, an administrative order may be issued. Any of the other enforcement mechanisms set forth in the District's Source Control (Pretreatment) Ordinance or applicable laws may also be commenced.

5. Assessment of charges for obstruction or damage to District facilities or operations. When a user's discharge, whether due to negligence, accident, spill or otherwise, causes an obstruction, damage, or any other impairment to the District's operation or facilities, the District may impose a charge on the user for the cost to clean or repair the facility, or costs incurred to resume normal operations. An administrative service fee of 25 percent of the District's costs may be added to these charges. The total amount shall be paid within 45 days of invoicing by the District. If it can be shown that the user's discharge caused or significantly contributed to the District violating its discharge requirements or incurring additional expenses or suffering loss or damage to the operation or facilities, the user shall be responsible for any costs or expenses, or a prorated portion of such expenses, including assessments or penalties imposed by other agencies or the court on the District.

6. Suspension or termination of service.

a. Suspension of service.

(1) The District may suspend the wastewater treatment service and/or a wastewater discharge permit or wastewater discharge permit contract by issuance of a cease and desist order when the District makes the determination that such suspension is necessary. A suspension shall be justified in order to prevent an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health or welfare of individuals or the environment, causes or may cause interference to the treatment plan or other District operations, or causes or may cause the District to violate any condition of its NPDES permit. Additionally, a permit may be suspended for any of the conditions set forth justifying revocation of permit or termination of permit contract as set forth in section 10.16.060.B of the District's Source Control (Pretreatment) Ordinance. Nothing in this subsection will limit the rights of the District to suspend or terminate service pursuant to specific permit or permit contract conditions which may be more stringent.

(2) Any industrial user notified of a suspension of service and/or the wastewater discharge permit or wastewater discharge permit contract shall immediately stop or eliminate the discharge. In the event of a failure of the user to comply voluntarily with the administrative order, the District shall take such steps as deemed necessary to prevent or minimize damage to the District's facilities or endangerment to persons or the environment. The District may reinstate the wastewater discharge permit, the wastewater discharge permit contract, and/or the wastewater treatment service upon proof of the elimination of the noncomplying discharge.

b. Revocation of permit or termination of permit contract. Any user who violates the following conditions is subject to having its permit revoked or permit contract terminated:

(1) Any user who knowingly gives or provides a false statement, representation, record, report, plan or other document to the District or falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under the District's Source Control (Pretreatment) Ordinance;

(2) Failure of a user to factually and completely report the wastewater constituents and characteristics of its discharge;

(3) Failure of the user to report significant changes in operations, or wastewater constituents and characteristics;

(4) Refusal or reasonable access to the user's premises for the purpose of inspection or monitoring;

(5) Failure of a user to notify the District immediately of an accidental discharge and/or take appropriate corrective action to prevent a reoccurrence;

(6) Failure of a user to file a periodic compliance report or periodic compliance report in such time and in such manner as is required by the District's Source Control (Pretreatment) Ordinance;

(7) Significant violation(s) of the permit contract requirements or conditions and/or any violation of the discharge standards where a constituent concentration is determined to be five times the concentration standards set forth in the District's Source Control (Pretreatment) Ordinance or any series of three or more violations of the same constituent within a one-year period, shall constitute a significant violation;

(8) Failure to pay fees and charges or penalties established pursuant to the District's Source Control (Pretreatment) Ordinance.

c. Immediate termination of discharge. In the case of an actual or threatened discharge which reasonably appears to present an imminent danger to the health or welfare of person, the District may, after reasonably attempting to informally notify the user, take all necessary steps to halt or prevent such discharge, including, but not limited to, plugging or physically disconnecting the user's access to the District wastewater system.

7. Administrative civil penalties.

a Pursuant to the authority of Government Code §§ 54739--54740.6, the District or District staff may issue administrative complaints, conduct administrative hearings, and/or impose civil penalties in accordance with the procedures set forth in these sections for violation of the District's requirements relating to pretreatment of industrial waste or the prevention of the entry of industrial waste into the District's collection system or treatment works.

b. These penalties shall be as follows:

(1) In an amount which shall not exceed $2,000.00 for each day for failing or refusing to furnish technical or monitoring reports.

(2) In an amount which shall not exceed $3,000.00 for each day for failing or refusing to timely comply with any compliance schedule established by the District.

(3) In an amount which shall not exceed $5,000.00 per violation for each day for discharges in violation of any waste discharge limitation, permit condition, or requirement issued, reissued, or adopted by the District.

(4) In an amount which does not exceed $10.00 per gallon for discharges in violation of any suspension, cease and desist order, or other orders, or prohibition issued, reissued, or adopted by the District.

c. Unless appealed, orders setting administrative civil penalties shall become effective and final upon issuance thereof, and payment shall be made within 30 days.

d. As to court actions authorized by the above-referenced sections, District counsel, or other special counsel designated by the District Board, shall institute appropriate actions to effect statutorily authorized remedies, upon order of the District Board.

8. Civil action. The District Board may direct District counsel or other special counsel to bring such civil actions as may be available at law or in equity in any court of competent jurisdiction to enforce the provisions of the District's Source Control (Pretreatment) Ordinance and to recover such charges, fees, penalties, and/or damages as may be assessed or may be incurred under the provisions of the District's Source Control (Pretreatment) Ordinance.

a. Injunction. Whenever a discharge of wastewater is in violation of the provisions of the District's Source Control (Pretreatment) Ordinance, the District may petition the Superior Court for issuance of a preliminary or permanent injunction, or both, as may be appropriate in restraining the continuance of such discharge.

b. Civil actions for penalties. Any user who violates any provision of the District's Source Control (Pretreatment) Ordinance, permit condition or permit contract condition, or who violates any cease and desist order, prohibition or effluent limitation, shall be liable civilly for a penalty not to exceed $25,000.00 for each day in which such violation occurs pursuant to Government Code § 54740. Pursuant to the authority of the Clean Water Act, 33 USCA § 1251 et seq., any user committing a violation of any provision of the District's Source Control (Pretreatment) Ordinance, which is also a violation of a pretreatment standard, effluent standard or limitation, or other applicable provision of the Clean Water Act, shall be liable civilly for sum not to exceed $25,000.00 per violation for each day in which such violation occurs. District counsel, or other special counsel designated by the Board, upon order of the District Board, shall institute such actions as may be appropriate in the appropriate court to impose, assess, and recover sums.

9. Criminal action.

a. General criminal penalties. Any person who violates any provision of the District's Source Control (Pretreatment) Ordinance, permit, or permit contract, or who violates any administrative order, prohibition or effluent limitation, is guilty of a misdemeanor, and upon conviction is punishable by a fine not to exceed $1,000.00 or imprisonment for not more than 30 days in the county jail, or both. Each day a violation occurs may constitute a new and separate offense and may subject the violator to an additional full measure of penalties as set forth herein.

b. Falsifying information.

(1) Any person who knowingly makes any false statements, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained pursuant to the District's Source Control (Pretreatment) Ordinance, or wastewater discharge permit, or wastewater discharge permit contract, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under the District's Source Control (Pretreatment) Ordinance, shall upon conviction be punished by a fine of not more than $1,000.00 or imprisonment for not more than 30 days, or both. Each separate act of falsification, tampering, or knowingly rendering inaccurate shall constitute a new and separate offense and shall be subject to the penalties contained herein.

(2) Nothing in this section is intended to exclude the potential for prosecution under the applicable perjury statutes of the state to the extent such falsification was incorporated in a document signed under penalty of perjury.

10. Notification procedures.

a. Notification to user. Whenever the District finds that any user has violated or is violating the provisions of the District's Source Control (Pretreatment) Ordinance, a wastewater discharge permit, a wastewater discharge permit contract, or any prohibition, limitation or requirements contained herein, the District may serve upon such a person a written notice stating the nature of the violation. Within 30 days of the date of this notice, a plan for the satisfactory correction of the violation shall be submitted to the District by the user.

b. Notification to District. When a user discovers that it has violated or is violating a provision of the ordinance, its wastewater discharge permit, its wastewater discharge permit contract or any prohibition, limitation, or requirement contained herein, including a violation as may be caused by the accidental discharge or spill, the user shall immediately notify the District upon discovery of such violation. Thereafter, within five days following the accidental discharge or discovery of a violation, the user shall submit to the District a detailed written report, describing the accidental discharge or violation, and the measures taken by the user to prevent similar future occurrences. This written report regarding the violation may be included as part of a periodic compliance report or other report as may be required under the District's Source Control (Pretreatment) Ordinance, as long as the written report is provided within the five days of discovery, which notification shall not relieve the user of any expense, penalty, fee, or other liability which may be incurred as a result of the violation.

11. Costs. All costs associated with the District's undertaking of enforcement actions pursuant to the District's Source Control (Pretreatment) Ordinance, including attorney's fees or civil actions undertaken, shall be paid by the user. These costs may include, but not be limited to, the costs for termination of service, reinstitution of service, compliance sampling and analysis and administrative activities undertaken by the District. However, if the user prevails in an appeal to the Board of Directors or a civil action taken to nullify an enforcement action pursued by the District under the District's Source Control (Pretreatment) Ordinance, the user shall not be responsible for the costs incurred by the District in pursuing said enforcement action.

12. Responding to significant noncompliance. Any violation of pretreatment standards or requirements (limits, sampling, analysis, reporting and meeting compliance schedules, and regulatory deadlines) is an instance of noncompliance for which the industrial user is liable for enforcement including penalties. However, the District is required to identify violations or patterns of violations by industrial users that are deemed to be instances of significant noncompliance (SNC). To the extent that a violation or pattern of violations is determined to be SNC, the District shall give additional priority to enforcement actions with regard to that industrial user. Additionally, the determination of significant noncompliance shall be used as the basis for reporting same to the regulatory authorities and publishing the list of significant noncompliers as is required of the District by law. For purposes of this provision, a Significant Industrial User (or any Industrial User that violates sections 10.16.0110 A. 3 or 4, or 10.16.0110 E.) is in significant noncompliance if its violation meets one or more of the following criteria:

a. Violations of wastewater discharge limits.

(1) Chronic violations. Violations in which 66 percent or more of all the measurements taken for the same pollutant parameter during a 6 month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including instantaneous limits, as defined by 40 CFR CFR(l).

(2) Technical review criteria violations. Violations in which 33 percent or more of all of the measurements taken for the same pollutant parameter during a 6-month period equal or exceed the product of the numeric Pretreatment Standard or Requirement including instantaneous limits, as defined by 40 CFR 403.3(l) multiplied by the applicable TRC (TRC=1.4 for BOD, TSS, fats, oil, and grease, and 1.2 for all other pollutants except pH).

(3) Other effluent limit violations. Any other violation of a Pretreatment Standard or Requirement as defined by 40 CFR 403.3(l) (daily maximum, long-term average, instantaneous limit, or narrative standard) that the District determines has caused, alone or in combination with other discharges, interference (e.g., slug loads) or pass-through (including adverse effect on any toxicity testing); or endangered the health of the sewage treatment personnel or the public.

(4) Danger to human health or welfare. This category also includes any discharge of a pollutant that has caused imminent endangerment to human health/welfare or to the environment and has resulted in the publicly owned treatment works' (POTW) exercise of its emergency authority to halt or prevent such a discharge.

b. Violation of compliance milestones. Failure to meet, within 90 days after the schedule date, a compliance schedule milestone contained in a District permit or administrative order for starting construction, completing construction, or attaining final compliance.

c. Failure to provide proper data. Failure to provide, within 45 days after the due date, required reports such as baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules.

d. Failure to accurately report. Failure of a user to accurately and promptly report any noncompliance. Any attempt to circumvent the reporting requirements or otherwise withhold noncompliance data from the District shall be subject to SNC status.

e. Other violations. Any other violation or group of violations, which may include a violation of Best Management Practices, that the District determines may adversely affect its operations or the accomplishment of the objectives of this Ordinance.

EXHIBIT B

Chapter 13.08

Sewage

13.08.010 Definitions.

As used in this chapter, the following words and phrases shall have the meanings set forth in this section:

A. "City" means the City of Clayton, a municipal corporation and general law city organized and existing under the constitution and laws of the state.

B. "Concord" means the City of Concord, Contra Costa County, California.

C. "Individual sewage disposal system" means a septic tank and subsurface drainfield or other means of sanitary disposal of sewage approved by the health officer.

D. "Sewage" means domestic sewage or industrial waste, or both.

13.08.020 Unauthorized discharge of sewage.

A. No person shall discharge or deposit sewage or sewage effluent in or on any area within the city except as permitted by this chapter or pursuant to a permit issued by the city council.

B. Individual sewage disposal systems, with the approval and permission of the Contra Costa County Health Department, shall be provided for premises requiring the disposal of sewage where no sanitary sewer system is available. No person shall maintain an improperly functioning individual sewage disposal system. All individual sewage disposal systems shall be properly permitted and maintained in accordance with applicable law.

13.08.030 Sanitary sewer services.

A. The city contracts with Concord for sewer services. All city residents connecting to the Concord-operated sanitary sewer system shall comply with this section.

B. All city residents receiving sewer service from Concord shall pay all fees and charges lawfully imposed by Concord for such services.

C. Pursuant to the provisions of Government Code § 50022.1 et seq., there is hereby adopted, by reference, the provisions of Chapter 13.05 of the Concord Municipal Code, entitled "Sewer System," as effective on October 7, 2014, excepting Section 13.05.120. Further, Section 13.05.090 is adopted as amended in this section. Concord is authorized to enforce the adopted provisions of Chapter 13.05 within the city to the same extent that these provisions are enforced within Concord.

D. "Sewer system" as defined in Chapter 13.05 shall include the city- and Concord-owned portions of the municipal sanitary sewer system comprised of the works and facilities for collection, conveyance, and disposal of city sewage used to provide sewer services to city residents.

E. Section 13.05.090 is adopted as set forth below:

"13.05.090 Connection to sewer system required; permit for discharge of industrial waste.

(a) Connection to sewer system required.

(1) The Council hereby declares that further maintenance or use of cesspools, septic systems, or other local means of sewage disposal on any premises so located shall constitute a public nuisance and may invoke any legal means to abate the same. Connection requirements for any premises located in the county but which can potentially be served by the city's sewer system fall under the jurisdiction of the county Environmental Health Department as outlined in the county ordinance, title 4, division 420.

(2) Notwithstanding the foregoing, no owner or occupant shall be required to connect premises to the sewer system as long as the premises are currently being served by a functioning septic system which, in the opinion of the Director of Public Works, adequately serves the premises. In such cases, the Director of Public Works may approve the deferral of the connection until such time as it is determined that the septic system no longer adequately serves the premises or cannot serve the premises without major repairs. In all cases, for premises in the city the annual sewer service charges will be applicable. Remodeling of existing premises served by a septic system may be allowed if no septic system improvements are required to serve such modifications.

(b) Permit for discharge of industrial waste.

(1) No owner or occupant of any premises within the city on which industrial waste is produced shall discharge industrial waste into the sewer system without first obtaining a special discharge permit from the Director of Public Works or the District for such connection. No such owner or occupant of any such premises shall use any means of industrial waste disposal other than through the sewer system.

(2) The issuance of permits pursuant to this subsection shall be conditioned upon the installation by the applicant of such protective devices as shall be determined by the Director of Public Works or the District as provided in section 13.05.120."

<u>13.08.040</u> <u>Violations</u>.

Any violation of this chapter or Chapter 13.05 of the Concord Municipal Code as adopted by reference shall be punishable as a misdemeanor or infraction as determined in the city's discretion. Any violation shall constitute a public nuisance.

City of Clayton, California

NOTICE OF A PUBLIC HEARING REGARDING A PROPOSED ORDINANCE ADOPTING SEWER SERVICES AND REGULATIONS BY REFERENCE

PLEASE TAKE NOTICE that a public hearing will be held by the Clayton City Council at 7:00 p.m. on November 4, 2014, or as soon thereafter as the matter may be heard, at Clayton City Hall, 6000 Heritage Trail, Clayton, California to consider the following action:

> **PROPOSED ADOPTION BY THE CITY COUNCIL OF AN ORDINANCE AMENDING CHAPTER 13.06 AND CHAPTER 13.08 OF THE CLAYTON MUNICIPAL CODE AND ADOPTING BY REFERENCE CONCORD MUNICIPAL CODE CHAPTER 13.05 AND CENTRAL CONTRA COSTA SANITARY DISTRICT CODE TITLE 10 REGARDING MUNICIPAL SEWER SERVICES AND REGULATIONS**

One copy of each of Chapter 13.05 and Title 10 and the proposed ordinance will be available for public inspection in the Office of the City Clerk at 6000 Heritage Trail, Clayton, California, for not less than fifteen days prior to the hearing date.

Dated: October 8, 2014

Janet Brown
City Clerk